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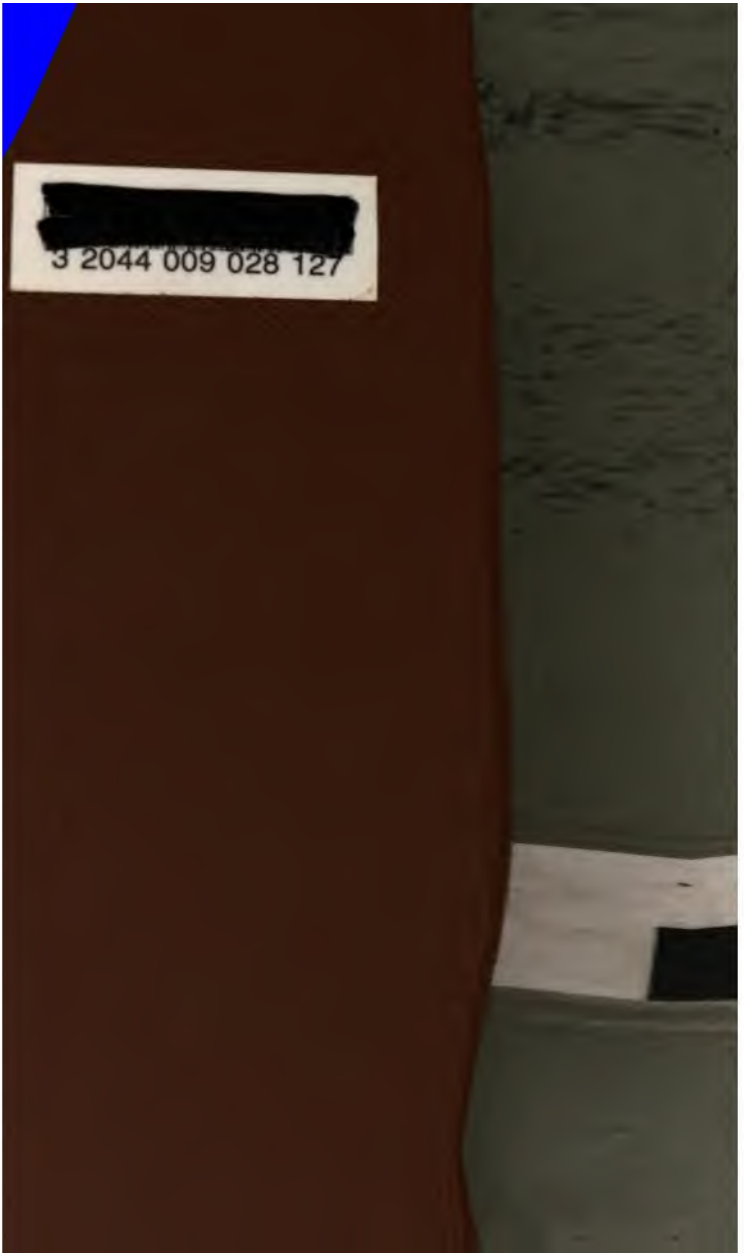
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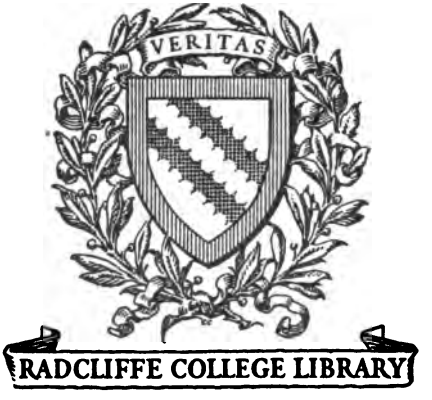

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MISCELLANEOUS PROSE WORKS

OF

SIR WALTER SCOTT, BART.

VOL. XXV.

TALES OF A GRANDFATHER.

VOL. IV.

SCOTLAND.

EDINBURGH : PRINTED BY BALLANTYNE AND CO. PAUL'S WORK.

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TALES OF A GRANDFATHER.

Second Series.

CHAPTER LVIII.

The Massacre of Glencoe.

[1691—1692.]

I AM now to call your attention to an action of the Scottish Government, which leaves a great stain on the memory of King William, although probably that Prince was not aware of the full extent of the baseness, treachery, and cruelty, for which his commission was made a cover.

I have formerly mentioned that some disputes arose concerning the distribution of a large sum of money, with which the Earl of Breadalbane was intrusted, to procure, or rather to purchase, a peace in the Highlands. Lord Breadalbane and those with whom he negotiated disagreed, and the English Government, becoming suspicious of the intentions of the Highland chiefs to play fast and

loose on the occasion, sent forth a proclamation in the month of August, 1691, requiring all, and each of them, to submit to Government before the first day of January, 1692. After this period, it was announced in the same proclamation that those who had not submitted themselves, should be subjected to the extremities of fire and sword.

This proclamation was framed by the Privy Council, under the influence of Sir John Dalrymple (Master of Stair, as he was called), whom I have already mentioned as holding the place of Lord Advocate, and who had in 1690 been raised to be Secretary of State, in conjunction with Lord Melville. The Master of Stair was at this time an intimate friend of Breadalbane, and it seems that he shared with that nobleman the warm hope and expectation of carrying into execution a plan of retaining a Highland army in the pay of Government, and accomplishing a complete transference of the allegiance of the chiefs to the person of King William, from that of King James. This could not have failed to be a most acceptable piece of service, upon which, if it could be accomplished, the Secretary might justly reckon as a title to his master's further confidence and favour.

But when Breadalbane commenced his treaty, he was mortified to find, that though the Highland chiefs expressed no dislike to King William's money, yet they retained their secret fidelity to King James too strongly to make it safe to assemble them in a military body, as had been proposed. Many chiefs, especially those of the

MacDonalds, stood out also for terms, which the Earl of Breadalbane and the Master of Stair considered as extravagant; and the result of the whole was, the breaking off the treaty, and the publishing of the severe proclamation already mentioned.

Breadalbane and Stair were greatly disappointed and irritated against those chiefs and tribes, who, being refractory on this occasion, had caused a breach of their favourite scheme. Their thoughts were now turned to revenge; and it appears from Stair's correspondence, that he nourished and dwelt upon the secret hope, that several of the most stubborn chiefs would hold out beyond the term appointed for submission, in which case it was determined that the punishment inflicted should be of the most severe and awful description. That all might be prepared for the meditated operations, a considerable body of troops were kept in readiness at Inverlochy, and elsewhere. These were destined to act against the refractory clans, and the campaign was to take place in the midst of winter, when it was supposed that the season and weather would prevent the Highlanders from expecting an attack.

But the chiefs received information of these hostile intentions, and one by one submitted to Government within the appointed period, thus taking away all pretence of acting against them. It is said that they did so by secret orders from King James, who having penetrated the designs of Stair, directed the chiefs to comply with the

proclamation, rather than incur an attack which they had no means of resisting.

The indemnity, which protected so many victims, and excluded both lawyers and soldiers from a profitable job, seems to have created great disturbance in the mind of the Secretary of State. As chief after chief took the oath of allegiance to King William, and by doing so put themselves one by one out of danger, the greater became the anxiety of the Master of Stair to find some legal flaw for excluding some of the Lochaber clans from the benefit of the indemnity. But no opportunity occurred for exercising these kind intentions, excepting in the memorable, but fortunately the solitary instance, of the clan of the MacDonalds of Glencoe.

This clan inhabited a valley formed by the river Coe, or Cona,[1] which falls into Lochleven, not far from the head of Loch-Etive. It is distinguished, even in that wild country, by the sublimity of the mountains, rocks, and precipices, in which it lies buried.[2] The minds of men are formed by their

[1] [This is the *Cona* of Ossian's poems.]

[2] ["The scenery of this valley is far the most picturesque of any in the Highlands, being so wild and uncommon as never fails to attract the eye of every stranger of the least degree of taste or sensibility. The entrance to it is strongly marked by the craggy mountain of *Buachal-ety*, a little west of King's House. All the other mountains of Glencoe resemble it, and are evidently but naked and solid rocks, rising on each side perpendicularly to a great height from a flat narrow bottom, so that in many places they seem to hang over, and make approaches, as they aspire, towards each other. The tops of the ridge of hills on one side are irregularly serrated for three or four miles, and shoot in places into spires, which forms the most magnificent part of the scenery above Lochleven."—PENNANT, vol. i. p. 210.]

habitations. The MacDonalds of the Glen were not very numerous, seldom mustering above two hundred armed men; but they were bold and daring to a proverb, confident in the strength of their country, and in the protection and support of their kindred tribes, the MacDonalds of Clanranald, Glengarry, Keppoch, Ardnamurchan, and others of that powerful name. They also lay near the possessions of the Campbells, to whom, owing to the predatory habits to which they were especially addicted, they were very bad neighbours, so that blood had at different times been spilt between them.

MacIan of Glencoe (this was the patronymic title of the chief of this clan) was a man of a stately and venerable person and aspect. He possessed both courage and sagacity, and was accustomed to be listened to by the neighbouring chieftains, and to take a lead in their deliberations. MacIan had been deeply engaged both in the campaign of Killiecrankie, and in that which followed under General Buchan; and when the insurgent Highland chiefs held a meeting with the Earl of Breadalbane, at a place called Auchallader, in the month of July 1691, for the purpose of arranging an armistice, MacIan was present with the rest, and, it is said, taxed Breadalbane with the design of retaining a part of the money lodged in his hands for the pacification of the Highlands. The Earl retorted with vehemence, and charged MacIan with a theft of cattle, committed upon some of his lands by a party from Glencoe. Other causes of offence took place,

in which old feuds were called to recollection; and MacIan was repeatedly heard to say, he dreaded mischief from no man so much as from the Earl of Breadalbane. Yet this unhappy chief was rash enough to stand out to the last moment, and decline to take advantage of King William's indemnity, till the time appointed by the proclamation was wellnigh expired.

The displeasure of the Earl of Breadalbane seems speedily to have communicated itself to the Master of Stair, who, in his correspondence with Lieutenant-Colonel Hamilton, then commanding in the Highlands, expresses the greatest resentment against MacIan of Glencoe, for having, by his interference, marred the bargain between Breadalbane and the Highland chiefs. Accordingly, in a letter of 3d December, the Secretary intimated that Government was determined to destroy utterly some of the clans, in order to terrify the others, and he hoped that, by standing out and refusing to submit under the indemnity, the MacDonalds of Glencoe would fall into the net,—which meant that they would afford a pretext for their extirpation. This letter is dated a month before the time limited by the indemnity; so long did these bloody thoughts occupy the mind of this unprincipled statesman.

Ere the term of mercy expired, however, MacIan's own apprehensions, or the advice of friends, dictated to him the necessity of submitting to the same conditions which others had embraced, and he went with his principal followers to take the oath of allegiance to King William. This was a very

brief space before the 1st of January, when, by the terms of the proclamation, the opportunity of claiming the indemnity was to expire. MacIan was, therefore, much alarmed to find that Colonel Hill, the governor of Fort William, to whom he tendered his oath of allegiance, had no power to receive it, being a military, and not a civil officer. Colonel Hill, however, sympathized with the distress and even tears of the old chieftain, and gave him a letter to Sir Colin Campbell of Ardkinlas, Sheriff of Argyleshire, requesting him to receive the "lost sheep," and administer the oath to him, that he might have the advantage of the indemnity, though so late in claiming it.

MacIan hastened from Fort William to Inverary, without even turning aside to his own house, though he passed within a mile of it. But the roads, always very bad, were now rendered almost impassable by a storm of snow; so that, with all the speed the unfortunate chieftain could exert, the fatal 1st of January was past before he reached Inverary.

The Sheriff, however, seeing that MacIan had complied with the spirit of the statute, in tendering his submission within the given period, under the sincere, though mistaken belief, that he was applying to the person ordered to receive it; and considering also, that, but for the tempestuous weather, it would after all have been offered in presence of the proper law-officer, did not hesitate to administer the oath of allegiance, and sent off an express to the Privy Council, containing an attestation of

MacIan's having taken the oaths, and a full explanation of the circumstances which had delayed his doing so until the lapse of the appointed period. The Sheriff also wrote to Colonel Hill what he had done, and requested that he would take care that Glencoe should not be annoyed by any military parties until the pleasure of the Council should be known, which he could not doubt would be favourable.

MacIan, therefore, returned to his own house, and resided there, as he supposed, in safety, under the protection of the Government to which he had sworn allegiance. That he might merit this protection, he convoked his clan, acquainted them with his submission, and commanded them to live peaceably, and give no cause of offence, under pain of his displeasure.

In the mean time, the vindictive Secretary of State had procured orders from his Sovereign respecting the measures to be followed with such of the chiefs as should not have taken the oaths within the term prescribed. The first of these orders, dated 11th January, contained peremptory directions for military execution, by fire and sword, against all who should not have made their submission within the time appointed. It was, however, provided, in order to avoid driving them to desperation, that there was still to remain a power of granting mercy to those clans who, even after the time was past, should still come in and submit themselves. Such were the terms of the first royal warrant, in which Glencoe was not expressly named.

It seems afterwards to have occurred to Stair, that Glencoe and his tribe would be sheltered under this mitigation of the intended severeties, since he had already come in and tendered his allegiance, without waiting for the menace of military force. A second set of instructions were therefore made out on the 16th January. These held out the same indulgence to other clans who should submit themselves at the very last hour (a hypocritical pretext, for there existed none which stood in such a predicament), but they closed the gate of mercy against the devoted MacIan, who had already done all that was required of others. The words are remarkable:—"As for MacIan of Glencoe and that tribe, if they can be well distinguished from the rest of the Highlanders, it will be proper, for the vindication of public justice, to extirpate that set of thieves."

You will remark the hypocritical clemency and real cruelty of these instructions, which profess a readiness to extend mercy to those who needed it not (for all the other Highlanders had submitted within the limited time), and deny it to Glencoe, the only man who had not been able literally to comply with the proclamation, though in all fair construction, he had done what it required.

Under what pretence or colouring King William's authority was obtained for such cruel instructions, it would be in vain to enquire. The Sheriff of Argyle's letter had never been produced before the Council; and the certificate of MacIan's having taken the oath was blotted out, and, in the Scottish

phrase, deleted from the books of the Privy Council. It seems probable therefore that the fact of that chief's submission was altogether concealed from the King, and that he was held out in the light of a desperate and incorrigible leader of banditti, who was the main obstacle to the peace of the Highlands; but if we admit that William acted under such misrepresentations, deep blame will still attach to him for rashly issuing orders of an import so dreadful. It is remarkable that these fatal instructions are both superscribed and subscribed by the King himself, whereas, in most state papers the Sovereign only superscribes, and they are countersigned by the Secretary of State, who is answerable for their tenor; a responsibility which Stair, on that occasion, was not probably ambitious of claiming.

The Secretary's letters to the military officers, directing the mode of executing the King's orders, betray the deep and savage interest which he took personally in their tenor, and his desire that the bloody measure should be as general as possible. He dwelt in these letters upon the proper time and season for cutting off the devoted tribe. "The winter," he said, "is the only season in which the Highlanders cannot elude us, or carry their wives, children, and cattle, to the mountains. They cannot escape you; for what human constitution can then endure to be long out of house? This is the proper season to maul them, in the long dark nights." He could not suppress his joy that Glencoe had not come in within the term pre-

scribed; and expresses his hearty wishes that others had followed the same course. He assured the soldiers that their powers should be ample; and he exacted from them proportional exertions. He entreated that the thieving tribe of Glencoe might be *rooted out* in earnest; and he was at pains to explain a phrase which is in itself terribly significant. He gave directions for securing every pass by which the victims could escape, and warned the soldiers that it were better to leave the thing unattempted, than fail to do it to purpose. "To plunder their lands, or drive off their cattle, would," say his letters, "be only to render them desperate; they must be all slaughtered, and the manner of execution must be sure, secret, and effectual."

These instructions, such as have been rarely penned in a Christian country, were sent to Colonel Hill, the Governor of Fort William, who, greatly surprised and grieved at their tenor, endeavoured for some time to evade the execution of them. At length, obliged by his situation to render obedience to the King's commands, he transmitted the orders to Lieutenant-Colonel Hamilton, directing him to take four hundred men of a Highland regiment belonging to the Earl of Argyle, and fulfil the royal mandate. Thus, to make what was intended yet worse, if possible, than it was in its whole tenor, the perpetration of this cruelty was committed to soldiers, who were not only the countrymen of the proscribed, but the near neighbours, and some of them the close connexions, of the

MacDonalds of Glencoe. This is the more necessary to be remembered, because the massacre has unjustly been said to have been committed by English troops. The course of the bloody deed was as follows.

Before the end of January, a party of the Earl of Argyle's regiment, commanded by Captain Campbell of Glenlyon, approached Glencoe. MacIan's sons went out to meet them with a body of men, to demand whether they came as friends or foes. The officer replied, that they came as friends, being sent to take up their quarters for a short time in Glencoe, in order to relieve the garrison of Fort William, which was crowded with soldiers. On this they were welcomed with all the hospitality which the chief and his followers had the means of extending to them, and they resided for fifteen days amongst the unsuspecting MacDonalds, in the exchange of every species of kindness and civility. That the laws of domestic affection might be violated at the same time with those of humanity and hospitality, you are to understand that Alaster MacDonald, one of the sons of MacIan, was married to a niece of Glenlyon, who commanded the party of soldiers. It appears also, that the intended cruelty was to be exercised upon defenceless men: for the Macdonalds, though afraid of no other ill-treatment from their military guests, had supposed it possible the soldiers might have a commission to disarm them, and therefore had sent their weapons to a distance, where they might be out of reach of seizure.

Glenlyon's party had remained in Glencoe for fourteen or fifteen days, when he received orders from his commanding officer Major Duncanson, expressed in a manner which shows him to have been the worthy agent of the cruel Secretary. They were sent in conformity with orders of the same date, transmitted to Duncanson by Hamilton, directing that all the MacDonalds, under seventy years of age, were to be cut off, and that the *Government was not to be troubled with prisoners.* Duncanson's orders to Glenlyon were as follows:

"You are hereby ordered to fall upon the rebels, and put all to the sword under seventy. You are to have especial care that the old fox and his cubs do on no account escape your hands; you are to secure all the avenues, that no man escape. This you are to put in execution at four in the morning precisely, and by that time, or very shortly after, I will strive to be at you with a stronger party. But if I do not come to you at four, you are not to tarry for me, but fall on. This is by the King's special command, for the good and safety of the country, that these miscreants be cut off root and branch. See that this be put into execution without either fear or favour, else you may expect to be treated as not true to the King or Government, nor a man fit to carry a commission in the King's service. Expecting that you will not fail in the fulfilling hereof, as you love yourself, I subscribe these with my hand,

"ROBERT DUNCANSON."

This order was dated 12th February, and addressed, "For their Majesties' service, to Captain Robert Campbell of Glenlyon."

This letter reached Glenlyon soon after it was written; and he lost no time in carrying the dreadful mandate into execution. In the interval, he did not abstain from any of those acts of familiarity which had lulled asleep the suspicions of his victims. He took his morning draught, as had been his practice every day since he came to the glen, at the house of Alaster MacDonald, MacIan's second son, who was married to his (Glenlyon's) niece. He, and two of his officers named Lindsay, accepted an invitation to dinner from MacIan himself, for the following day, on which they had determined he should never see the sun rise. To complete the sum of treachery, Glenlyon played at cards, in his own quarters, with the sons of MacIan, John and Alaster, both of whom were also destined for slaughter.

About four o'clock, in the morning of 13th February, the scene of blood began. A party, commanded by one of the Lindsays, came to MacIan's house and knocked for admittance, which was at once given. Lindsay, one of the expected guests at the family meal of the day, commanded this party, who instantly shot MacIan dead by his own bed-side, as he was in the act of dressing himself, and giving orders for refreshments to be provided for his fatal visitors. His aged wife was stripped by the savage soldiery, who, at the same time, drew off the gold rings from her fingers with

their teeth. She died the next day, distracted with grief, and the brutal treatment she had received. Several domestics and clansmen were killed at the same place.

The two sons of the aged chieftain had not been altogether so confident as their father respecting the peaceful and friendly purpose of their guests. They observed, on the evening preceding the massacre, that the sentinels were doubled, and the maiagnard strengthened. John, the elder brother, had even overheard the soldiers muttering amongst themselves, that they cared not about fighting the men of the glen fairly, but did not like the nature of the service they were engaged in; while others consoled themselves with the military logic, that their officers must be answerable for the orders given, they having no choice save to obey them. Alarmed with what had been thus observed and heard, the young men hastened to Glenlyon's quarters, where they found that officer and his men preparing their arms. On questioning him about these suspicious appearances, Glenlyon accounted for them by a story, that he was bound on an expedition against some of Glengarry's men; and alluding to the circumstance of their alliance, which made his own cruelty more detestable, he added, "If any thing evil had been intended, would I not have told Alaster and my niece?"

Reassured by this communication, the young men retired to rest, but were speedily awakened by an old domestic, who called on the two brothers to rise and fly for their lives. "Is it time for you,"

he said, "to be sleeping, when your father is murdered on his own hearth?" Thus roused, they hurried out in great terror, and heard throughout the glen, wherever there was a place of human habitation, the shouts of the murderers, the report of the muskets, the screams of the wounded, and the groans of the dying. By their perfect knowledge of the scarce accessible cliffs amongst which they dwelt, they were enabled to escape observation, and fled to the southern access of the glen.

Mean time, the work of death proceeded with as little remorse as Stair himself could have desired. Even the slight mitigation of their orders respecting those above seventy years, was disregarded by the soldiery in their indiscriminate thirst for blood, and several very aged and bedridden persons were slain amongst others. At the hamlet where Glenlyon had his own quarters, nine men, including his landlord, were bound and shot like felons; and one of them, MacDonald of Auchintriaten, had General Hill's passport in his pocket at the time. A fine lad of twenty had, by some glimpse of compassion on the part of the soldiers, been spared, when one Captain Drummond came up, and demanding why the orders were transgressed in that particular, caused him instantly to be put to death. A boy, of five or six years old, clung to Glenlyon's knees, entreating for mercy, and offering to become his servant for life, if he would spare him. Glenlyon was moved; but the same Drummond stabbed the child with his dirk, while he was in this agony of supplication.

At a place called Auchnaion, one Barber, a sergeant, with a party of soldiers, fired on a group of nine MacDonalds, as they were assembled round their morning fire, and killed four of them. The owner of the house, a brother of the slain Auchintriaten, escaped unhurt, and expressed a wish to be put to death rather in the open air than within the house. "For your bread which I have eaten," answered Barber, "I will grant the request." MacDonald was dragged to the door accordingly; but he was an active man, and when the soldiers were presenting their firelocks to shoot him, he cast his plaid over their faces, and taking advantage of the confusion, broke from them, and escaped up the glen.

The alarm being now general, many other persons, male and female, attempted their escape in the same manner as the two sons of MacIan and the person last mentioned. Flying from their burning huts, and from their murderous visitors, the half-naked fugitives committed themselves to a winter morning of darkness, snow, and storm, amidst a wilderness the most savage in the West Highlands, having a bloody death behind them, and before them tempest, famine, and desolation. Bewildered in the snow-wreaths, several sunk to rise no more. But the severities of the storm were tender mercies compared to the cruelty of their persecutors.[1] The great fall of snow, which pro-

[1] ["The hand that mingled in the meal,
At midnight drew the felon steel,
And gave the host's kind breast to feel
Meed for his hospitality!

ved fatal to several of the fugitives, was the means of saving the remnant that escaped. Major Duncanson, agreeably to the plan expressed in his orders to Glenlyon, had not failed to put himself in motion, with four hundred men, on the evening preceding the slaughter; and had he reached the eastern passes out of Glencoe by four in the morning, as he calculated, he must have intercepted and destroyed all those who took that only way of escape from Glenlyon and his followers. But as this reinforcement arrived so late as eleven in the forenoon, they found no MacDonald alive in Glencoe, save an old man of eighty, whom they slew; and after burning such houses as were yet unconsumed, they collected the property of the tribe, consisting of twelve hundred head of cattle and horses, besides goats and sheep, and drove them off to the garrison of Fort William.

Thus ended this horrible deed of massacre. The number of persons murdered was thirty-eight; those who escaped might amount to a hundred and fifty males, who, with the women and children of

> The friendly hearth which warm'd that hand,
> At midnight arm'd it with the brand,
> That bade destruction's flames expand
> Their red and fearful blazonry.
>
> "Then woman's shriek was heard in vain,
> Nor infancy's unpitied pain,
> More than the warrior's groan could gain,
> Respite from ruthless butchery!
> The winter wind that whistled shrill,
> The snows that night that cloaked the hill,
> Though wild and pitiless, had still
> Far more than Southron clemency."
>
> SIR WALTER SCOTT, *Poetical Works*, vol. viii. p. 385.]

the tribe, had to fly more than twelve miles through rocks and wildernesses, ere they could reach any place of safety or shelter.

This detestable butchery excited general horror and disgust, not only throughout Scotland, but in foreign countries, and did King William, whose orders, signed and superscribed by himself, were the warrant of the action, incredible evil both in popularity and character.[1]

Stair, however, seemed undaunted, and had the infamy to write to Colonel Hill, while public indignation was at the highest, that all that could be said of the matter was, that the execution was not so complete as it might have been. There was, besides, a pamphlet published in his defence, offering a bungled vindication of his conduct; which, indeed, amounts only to this, that a man of the Master of Stair's high place and eminent accomplishments, who had performed such great

[1] [Bishop Burnet would fain exculpate William. "The King," says he, "signed this without any enquiry about it; for he was too apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in despatching business; for as he was apt to suffer things to run on, till there was a great heap of papers laid before him, so then he signed them a little too precipitately. But all this while the King knew nothing of Macdonald's offering to take the oaths within the time, nor of his having taken them soon after it was past, when he came to a proper magistrate." And again, "This (the massacre) raised a mighty outcry, and was published by the French in their gazettes, and by the Jacobites in their libels, to cast a reproach on the King's government, as cruel and barbarous; though in all other instances it had appeared, that his own inclinations were gentle and mild, rather to an excess."—*Own Times*, vol. iv. pp. 154, 155.]

services to the public, of which a laboured account was given; one also, who, it is particularly insisted upon, performed the duty of family worship regularly in his household, ought not to be over-severely questioned for the death of a few Highland Papists, whose morals were no better than those of English highwaymen.

No public notice was taken of this abominable deed until 1695, three years after it had been committed, when, late and reluctantly, a Royal Commission, loudly demanded by the Scottish nation, was granted, to enquire into the particulars of the transaction, and to report the issue of their investigations to Parliament.

The members of the Commission, though selected as favourable to King William, proved of a different opinion from the apologist of the Secretary of State, and reported, that the letters and instructions of Stair to Colonel Hill and others, were the sole cause of the murder. They slurred over the King's share of the guilt by reporting, that the Secretary's instructions went beyond the warrant which William had signed and superscribed. The royal mandate, they stated, only ordered the tribe of Glencoe to be subjected to military execution, *in case* there could be any mode found of separating them from the other Highlanders. Having thus found a screen, though a very flimsy one, for William's share in the transaction, the report of the Commission let the whole weight of the charge fall on Secretary the Master of Stair, whose letters, they state, intimated no mode of

separating the Glencoe men from the rest, as directed by the warrant; but, on the contrary, did, under a pretext of public duty, appoint them, without enquiry or distinction, to be cut off and rooted out in earnest and to purpose, and that "suddenly, secretly, and quietly." They reported, that these instructions of Stair had been the warrant for the slaughter; that it was unauthorized by his Majesty's orders, and, in fact, deserved no name save that of a most barbarous murder. Finally, the report named the Master of Stair as the deviser, and the various military officers employed as the perpetrators, of the same, and suggested, with great moderation, that Parliament should address his Majesty to send home Glenlyon and the other murderers to be tried, or should do otherwise as his Majesty pleased.

The Secretary, being by this unintelligible mode of reasoning thus exposed to the whole severity of the storm, and overwhelmed at the same time by the King's displeasure, on account of the Darien affair (to be presently mentioned), was deprived of his office, and obliged to retire from public affairs. General indignation banished him so entirely from public life, that, having about this period succeeded to his father's title of Viscount Stair, he dared not take his seat in Parliament as such, on account of the threat of the Lord Justice-Clerk, that if he did so, he would move that the address and report upon the Glencoe Massacre should be produced and enquired into. It was the year 1700

before the Earl of Stair found the affair so much forgotten, that he ventured to assume the place in Parliament to which his rank entitled him; and he died in 1707, on the very day when the treaty of Union was signed, not without suspicion of suicide.

Of the direct agents in the massacre, Hamilton absconded, and afterwards joined King William's army in Flanders, where Glenlyon, and the officers and soldiers connected with the murder, were then serving. The King, availing himself of the option left to him in the address of the Scottish Parliament, did *not* order them home for trial; nor does it appear that any of them were dismissed the service, or punished for their crime, otherwise than by the general hatred of the age in which they lived, and the universal execration of posterity.[1]

[1] ["Among the Highlanders, the belief that the punishment of the cruelty, oppression, or misconduct of an individual descended as a curse on his children, to the third and fourth generation, was not confined to the common people. All ranks were influenced by it, that if the curse did not fall upon the first or second generation, it would inevitably descend upon the succeeding. The late Colonel Campbell of Glenlyon retained this belief through a course of thirty years' intercourse with the world, as an officer of the 42d regiment, and of marines. He was grandson of the Laird of Glenlyon, who commanded the military at the massacre of Glencoe. At Havannah, in 1771, he was ordered to superintend the execution of the sentence of a court-martial on a soldier of marines, condemned to be shot. A reprieve was sent, but the whole ceremony of the execution was to proceed until the criminal was upon his knees, with a cap over his eyes, prepared to receive the volley. It was then he was to be informed of his pardon. No person was to be told previously,

Although it is here a little misplaced, I cannot refrain from telling you an anecdote connected with the preceding events, which befell so late as the year 1745–6, during the romantic attempt of Charles Edward, grandson of James II., to regain the throne of his fathers. He marched through the Lowlands, at the head of an army consisting of the Highland clans, and obtained for a time considerable advantages. Amongst other Highlanders, the descendant of the murdered MacIan of Glencoe joined his standard with a hundred and fifty men. The route of the Highland army brought them near to a beautiful seat built by the Earl of Stair, so often mentioned in the preceding narrative, and the principal mansion of his family. An alarm arose in the councils of Prince Charles, lest the MacDonalds of Glencoe should seize this opportunity of marking their recollection of the injustice

and Colonel Campbell was directed not to inform even the firing party, who were warned that the signal to fire would be the waving of a white handkerchief by the commanding officer. When all was prepared, and the clergyman had left the prisoner on his knees, in momentary expectation of his fate, and the firing party were looking with intense attention for the signal, Colonel Campbell put his hand into his pocket for the reprieve, and in pulling out the packet, the white handkerchief accompanied it, and catching the eyes of the party, they fired, and the unfortunate prisoner was shot dead. The paper dropped through Colonel Campbell's fingers, and clapping his hand to his forehead he exclaimed, 'The curse of God and of Glencoe is here; I am an unfortunate ruined man,'—and soon afterwards retired from the service."—MAJOR-GENERAL STEWART's (of Garth) *Sketches of the Highlanders of Scotland, and Military details of the Highland Regiments*, 2d Edit. vol. i. pp. 105, 106.]

done to their ancestors, by burning or plundering the house of the descendant of their persecutor; and, as such an act of violence might have done the Prince great prejudice in the eyes of the people of the Lowlands, it was agreed that a guard should be posted to protect the house of Lord Stair.

MacDonald of Glencoe heard the resolution, and deemed his honour and that of his clan concerned. He demanded an audience of Charles Edward, and admitting the propriety of placing a guard on a house so obnoxious to the feelings of the Highland army, and to those of his own clan in particular, he demanded, as a matter of right rather than favour, that the protecting guard should be supplied by the MacDonalds of Glencoe. If this request were not granted, he announced his purpose to return home with his people, and prosecute the enterprise no further. "The MacDonalds of Glencoe," he said, "would be dishonoured by remaining in a service where others than their own men were employed to restrain them, under whatsoever circumstances of provocation, within the line of their military duty." The royal Adventurer granted the request of the high-spirited chieftain, and the MacDonalds of Glencoe guarded from the slightest injury the house of the cruel and crafty statesman who had devised and directed the massacre of their ancestors. Considering how natural the thirst of vengeance becomes to men in a primitive state of society, and how closely it was interwoven with the character of the Scottish Highlander, Glencoe's

conduct on this occasion is a noble instance of a high and heroic preference of duty to the gratification of revenge.

We must now turn from this terrible story to one, which, though it does not seize on the imagination with the same force in the narrative, yet embraces a far wider and more extensive field of death and disaster.

CHAPTER LIX.

The Darien Scheme—Death of William, and Accession of Queen Anne.

[1692—1701.]

HUMAN character, whether national or individual, presents often to our calm consideration the strangest inconsistencies; but there are few more striking than that which the Scots exhibit in their private conduct, contrasted with their views when united together for any general or national purpose. In his own personal affairs the Scotsman is remarked as cautious, frugal, and prudent, in an extreme degree, not generally aiming at enjoyment or relaxation till he has realized the means of indulgence, and studiously avoiding those temptations of pleasure, to which men of other countries most readily give way. But when a number of the natives of Scotland associate for any speculative project, it would seem that their natural caution becomes thawed and dissolved by the union of their joint hopes, and that their imaginations are liable in a peculiar degree to be heated and influenced by any splendid prospect held out to them. They appear, in particular, to lose the power of calculating and adapting their means to the end which they desire to accomplish, and are readily induced to aim at

objects magnificent in themselves, but which they have not, unhappily, the wealth or strength necessary to attain. Thus the Scots are often found to attempt splendid designs, which, shipwrecked for want of the necessary expenditure, give foreigners occasion to smile at the great error and equally great misfortune of the nation,—I mean their pride and their poverty. There is no greater instance of this tendency to daring speculation, which rests at the bottom of the coldness and caution of the Scottish character, than the disastrous history of the Darien colony.

Paterson, a man of comprehensive views and great sagacity, was the parent and inventor of this memorable scheme. In youth he had been an adventurer in the West Indies, and it was said a *bucanier*, that is, one of a species of adventurers nearly allied to pirates, who, consisting of different nations, and divided into various bands, made war on the Spanish commerce and settlements in the South Seas, and among the West Indian islands. In this roving course of life, Paterson had made himself intimately acquainted with the geography of South America, the produce of the country, the nature of its commerce, and the manner in which the Spaniards governed that extensive region.[1]

[1] [According to Sir John Dalrymple, Paterson was educated for the church, and first went abroad in the character of a missionary. In the course of his wanderings, however, he became acquainted with Captain Dampier and Mr Wafer, who afterwards published accounts of their voyage. "But Paterson got much more knowledge," adds Sir John, "from men who could neither

On his return to Europe, however, the schemes which he had formed respecting the New World were laid aside for another project, fraught with the most mighty and important consequences. This was the plan of that great national establishment the Bank of England, of which he had the honour to suggest the first idea. For a time he was admitted a director of that institution; but it befell Paterson as often happens to the first projectors of great schemes. Other persons, possessed of wealth and influence, interposed, and, taking advantage of the ideas of the obscure and unprotected stranger, made them their own by alterations or improvements more or less trivial, and finally elbowed the inventor out of all concern in the institution, the foundation of which he had laid.

Thus expelled from the Bank of England, Paterson turned his thoughts to the plan of settling a colony in America, and in a part of that country so favoured in point of situation, that it seemed to him formed to be the site of the most flourishing commercial capital in the universe.

The two great continents of North and South America are joined together by an isthmus, or narrow tract of land, called Darien. This neck of land is not above a day's journey in breadth, and

read nor write, by cultivating the acquaintance of some of the old buccaniers, who, after surviving their glories and their crimes, still in the extremity of age and misfortune, recounted with transport the ease with which they had passed and repassed from the one sea to the other, sometimes in hundreds together, and driving strings of mules before them loaded with the plunder of friends and foes."—*Hist.* vol. ii. p. 90.]

as it is washed by the Atlantic ocean on the eastern side, and the Great Pacific ocean on the west, the isthmus seemed designed by nature as a common centre for the commerce of the world. Paterson ascertained, or at least alleged that he had ascertained, that the isthmus had never been the property of Spain, but was still possessed by the original natives, a tribe of fierce and warlike Indians, who made war on the Spaniards. According to the law of nations, therefore, any state had a right of forming a settlement in Darien, providing the consent of the Indians was first obtained; nor could their doing so be justly made subject of challenge even by Spain, so extravagantly jealous of all interference with her South American provinces. This plan of a settlement, with so many advantages to recommend it, was proposed by Paterson to the merchants of Hamburgh, to the Dutch, and even to the Elector of Brandenburgh; but it was coldly received by all these states.

The scheme was at length offered to the merchants of London, the only traders probably in the world who, their great wealth being seconded by the protection of the British navy, had the means of realizing the splendid visions of Paterson. But when the projector was in London, endeavouring to solicit attention to his plan, he became intimate with the celebrated Fletcher of Saltoun. This gentleman, one of the most accomplished men, and best patriots, whom Scotland has produced in any age, had, nevertheless, some notions of her interests which were more fanciful than real, and, in his

anxiety to render his country service, did not sufficiently consider the adequacy of the means by which her welfare was to be obtained. He was dazzled by the vision of opulence and grandeur which Paterson unfolded, and thought of nothing less than securing, for the benefit of Scotland alone, a scheme which promised to the state which should adopt it, the keys, as it were, of the New World. The projector was easily persuaded to give his own country the benefit of his scheme of colonization, and went to Scotland along with Fletcher. Here the plan found general acceptation, and particularly with the Scottish administration, who were greatly embarrassed at the time by the warm prosecution of the affair of Glencoe, and who easily persuaded King William that some freedom and facilities of trade granted to the Scots, would divert the public attention from the investigation of a matter, not very creditable to his Majesty's reputation any more than to their own. Stair, in particular, a party deeply interested, gave the Darien scheme the full support of his eloquence and interest, in the hope to regain a part of his lost popularity.

The Scottish ministers obtained permission, accordingly, to grant such privileges of trade to their country as might not be prejudicial to that of England. In June 1695, these influential persons obtained a statute from Parliament, and afterwards a charter from the crown, for creating a corporate body, or stock company, by name of the Company of Scotland trading to Africa and the Indies, with power to plant colonies and build forts in places

not possessed by other European nations, the consent always of the inhabitants of the places where they settled being obtained.

The hopes entertained of the profits to arise from this speculation were in the last degree sanguine; not even the Solemn League and Covenant was signed with more eager enthusiasm. Almost every one who had, or could command, any sum of ready money embarked it in the Indian and African Company; many subscribed their all; maidens threw in their portions, and widows whatever sums they could raise upon their dower, to be repaid an hundredfold by the golden shower which was to descend upon the subscribers. Some sold estates to vest the money in the Company's funds, and so eager was the spirit of speculation, that, when eight hundred thousand pounds formed the whole circulating capital of Scotland, half of that sum was vested in the Darien stock.

That every thing might be ready for their extensive operations, the Darien Company proceeded to build a large tenement near Bristo-port, Edinburgh, to serve as an office for transacting their business, with a large range of buildings behind it, designed as warehouses, to be filled with the richest commodities of the eastern and western world. But, sad event of human hopes and wishes! the office is now occupied as a receptacle for paupers, and the extensive warehouses as a lunatic asylum.

But it was not the Scots alone whose hopes were excited by the rich prospects held out to them. An offer being made by the managers of the Com-

pany, to share the expected advantages of the scheme with English and foreign merchants, it was so eagerly grasped at, that three hundred thousand pounds of stock was subscribed for in London within nine days after opening the books. The merchants of Hamburgh and of Holland subscribed two hundred thousand pounds.[1]

Such was the hopeful state of the new company's affairs, when the English jealousy of trade interfered to crush an adventure which seemed so promising. The idea which then and long afterwards prevailed in England was, that all profit was lost to the British empire which did not arise out of commerce exclusively English. The increase of trade in Scotland or Ireland they considered, not as an addition to the general prosperity of the united nations, but as a positive loss to England. The commerce of Ireland they had long laid under severe shackles, to secure their own

[1] ["In the original articles of the Company it had been agreed that Paterson should get two per cent on the stock, and three per cent on the profits; but when he saw the subscriptions so vast, he gave a discharge of both claims to the Company; and in doing so, contrived to throw a grandeur of expression and sentiment, even into a law-release. 'It was not,' said he, 'suspicion of the justice or gratitude of the Company, nor a consciousness that my services would ever become useless to them, but the ingratitude of some individuals, experienced in life, which made it a matter of common prudence in me to ask a retribution for six years of my time, and L.10,000 spent in promoting the establishment of the Company. But now that I see it standing upon the authority of Parliament, and supported by so many great and good men, I release all claim to that retribution, happy in the noble concession made to me, but happier in the return which I now make for it.'" —DALRYMPLE, v. ii. p. 95.]

predominance; but it was not so easy to deal with Scotland, which, totally unlike Ireland, was governed by its own independent legislature, and acknowledged no subordination or fealty to England, being in all respects a separate and independent country, though governed by the same King.

This new species of rivalry on the part of an old enemy, was both irritating and alarming. The English had hitherto thought of the Scots as a poor and fierce nation, who, in spite of fewer numbers and far inferior resources, was always ready to engage in war with her powerful neighbour; and now that these wars were over, it was embarrassing and provoking to find the same nation display, in spite of its proverbial caution, a hardy and ambitious spirit of emulating them in the paths of commerce.

These narrow-minded, unjust, and ungenerous apprehensions prevailed so widely throughout the English nation, that both Houses of Parliament joined in an address to the King, stating that the advantages given to the newly-erected Scottish Indian and African Company, would ensure that kingdom so great a superiority over the English East India Company, that a great part of the stock and shipping of England would be transported to the north, and Scotland would become a free port for all East Indian commodities, which they would be able to furnish at a much cheaper rate than the English. By this means it was said England would lose all the advantages of an exclusive trade

in the Eastern commodities, which had always been a great article in her foreign commerce, and sustain infinite detriment in the sale of her domestic manufactures. The King, in his gracious reply to this address, acknowledged the justice of its statements, though as void of just policy as of grounds in public law. His royal answer bore, that "the King had been ill served in Scotland, but hoped some remedies might still be found to prevent the evils apprehended." To show that his resentment was serious against his Scottish ministers, King William, as we have already mentioned, deprived the Master of Stair of his office as secretary of state. Thus a statesman, who had retained his place in spite of the bloody deed of Glencoe, was disgraced for attempting to serve his country, in the most innocent and laudable manner, by extending her trade and national importance.

The English Parliament persisted in the attempt to find remedies for the evils which they were pleased to apprehend from the Darien scheme, by appointing a committee of enquiry, with directions to summon before them such persons as had, by subscribing to the Company, given encouragement to the progress of an undertaking, so fraught, as they alleged, with danger to the trade of England. These persons, being called before Parliament, and menaced with impeachment, were compelled to renounce their connexion with the undertaking, which was thus deprived of the aid of English subscriptions, to the amount, as already mentioned, of three hundred thousand pounds. Nay, so eager

did the English Parliament show themselves in this matter, that they even extended their menace of impeachment to some native-born Scotsmen, who had offended the House by subscribing their own money to a Company formed in their own country, and according to their own laws.

That this mode of destroying the funds of the concern might be yet more effectual, the weight of the King's influence with foreign states was employed to diminish the credit of the undertaking, and to intercept the subscriptions which had been obtained for the Company abroad. For this purpose, the English envoy at Hamburgh was directed to transmit to the Senate of that commercial city a remonstrance on the part of King William, accusing them of having encouraged the commissioners of the Darien Company; requesting them to desist from doing so; intimating that the plan, said to be fraught with many evils, had not the support of his Majesty; and protesting, that the refusal of the Senate to withdraw their countenance from the scheme, would threaten an interruption to the friendship which his Majesty desired to cultivate with the good city of Hamburgh. The Senate returned to this application a spirited answer — "The city of Hamburgh," they said, "considered it as strange that the King of England should dictate to them, a free people, with whom they were to engage in commercial arrangements; and were yet more astonished to find themselves blamed for having entered into such engagements with a body of his own Scottish sub-

jects, incorporated under a special act of Parliament." But as the menace of the envoy showed that the Darien Company must be thwarted in all its proceedings by the superior power of England, the prudent Hamburghers, ceasing to consider it as a hopeful speculation, finally withdrew their subscriptions. The Dutch, to whom William could more decidedly dictate, from his authority as Stadtholder, and who were jealous, besides, of the interference of the Scots with their own East Indian trade, adopted a similar course, without remonstrance. Thus, the projected Company, deserted both by foreign and English associates, were crippled in their undertaking, and left to their own limited resources.

The managers of the scheme, supported by the general sense of the people of Scotland, made warm remonstrances to King William on the hostile interference of his Hamburgh envoy, and demanded redress for so gross a wrong. In William's answer, he was forced meanly to evade what he was resolved not to grant, and yet could not in equity refuse. "The King," it was promised, "would send instructions to his envoy, not to make use of his Majesty's name or authority for obstructing their engagements with the city of Hamburgh." The Hamburghers, on the other hand, declared themselves ready to make good their subscriptions, if they should receive any distinct assurance from the King of England, that in so doing they would be safe from his threatened resentment. But, in spite of repeated promises, the envoy received no

power to make such declaration. Thus the Darien Company lost the advantage of support, to the extent of two hundred thousand pounds, subscribed in Hamburgh and Holland, and that by the personal and hostile interference of their own Monarch, under whose charter they were embodied.

Scotland, left to her unassisted resources, would have acted with less spirit but more wisdom, in renouncing her ambitious plan of colonization, sure as it now was to be thwarted by the hostile interference of her unfriendly but powerful neighbour and rival. But those engaged in the scheme, comprising great part of the nation, could not be expected easily to renounce hopes which had been so highly excited, and enough remained of the proud and obstinate spirit with which their ancestors had maintained their independence, to induce the Scots, even when thrown back on their own limited means, to determine upon the establishment of their favourite settlement at Darien, in spite of the desertion of their English and foreign subscribers, and in defiance of the invidious opposition of their powerful neighbours. They caught the spirit of their ancestors, who, after losing so many dreadful battles, were always found ready with sword in hand, to dispute the next campaign.

The contributors to the enterprise were encouraged in this stubborn resolution, by the flattering account which was given of the country to be colonized, in which every class of Scotsmen found something to flatter their hopes, and to captivate their imaginations. The description given of Darien by

Paterson was partly derived from his own knowledge, partly from the report of buccaniers and adventurers, and the whole was exaggerated by the eloquence of an able man, pleading in behalf of a favourite project.

The climate was represented as healthy and cool, the tropical heats being, it was said, mitigated by the height of the country, and by the shade of extensive forests, which yet presented neither thicket nor underwood, but would admit a horseman to gallop through them unimpeded. Those acquainted with trade were assured of the benefits of a safe and beautiful harbour, where the advantage of free commerce and universal toleration, would attract traders from all the world; while the produce of China, Japan, the Spice Islands, and Eastern India, brought to the bay of Panama in the Pacific ocean, might be transferred by a safe and easy route across the isthmus to the new settlement, and exchanged for all the commodities of Europe. "Trade," said the commercial enthusiast, "will beget trade—money will beget money—the commercial world will no longer want work for their hands, but will rather want hands for their work. This door of the seas, and key of the universe, will enable its possessors to become the legislators of both worlds, and the arbitrators of commerce. The settlers at Darien will acquire a nobler empire than Alexander or Cæsar, without fatigue, expense, or danger, as well as without incurring the guilt and bloodshed of conquerors." To those more vulgar minds who cannot separate the idea of wealth from

the precious metals, the projector held out the prospect of golden mines. The hardy Highlanders, many of whom embarked in the undertaking, were to exchange their barren moors for extensive savannahs of the richest pasture, with some latent hopes of a creagh (or foray) upon Spaniards or Indians. The Lowland laird was to barter his meagre heritage, and oppressive feudal tenure, for the free possession of unlimited tracts of ground, where the rich soil, three or four feet deep, would return the richest produce for the slightest cultivation. Allured by these hopes, many proprietors actually abandoned their inheritances, and many more sent their sons and near relations to realize their golden hopes, while the poor labourers, who desired no more than bread and freedom of conscience, shouldered their mattocks, and followed their masters in the path of emigration.[1]

Twelve hundred men, three hundred of whom were youths of the best Scottish families, embarked on board of five frigates, purchased at Hamburgh for the service of the expedition; for the King refused the Company even the trifling accommodation of a ship of war, which lay idle at Burntisland. They sailed from Leith roads [26th July

[1] ["The whole city of Edinburgh poured down upon Leith to see the colony depart, amidst the tears and prayers, and praises of relations and friends, and of their countrymen. Many seamen and soldiers, whose services had been refused, because more had offered themselves than were needed, were found hid in the ships, and when ordered ashore, clung to the ropes and timbers, imploring to go without reward with their companions."—DALRYMPLE, vol. ii. p. 97.]

1698], reached their destination in safety, and disembarked at a place called Acta, where, by cutting through a peninsula, they obtained a safe and insulated situation for a town, called New Edinburgh, and a fort named Saint Andrew. With the same fond remembrance of their native land, the colony itself was called Caledonia. They were favourably received by the native princes, from whom they purchased the land they required. The harbour, which was excellent, was proclaimed a free port; and in the outset the happiest results were expected from the settlement.[1]

The arrival of the colonists took place in winter, when the air was cool and temperate; but with the summer returned the heat, and with the heat came the diseases of a tropical climate. Those who had reported so favourably of the climate of Darien, had probably been persons who had only visited the coast during the healthy season, or mariners, who, being chiefly on ship-board, find many situations healthy, which prove pestilential to Europeans residing on shore. The health of the settlers, accustomed to a cold and mountainous country, gave way fast under the constant exhalations of the

[1] ["The news of their settlement in the isthmus of Darien arrived at Edinburgh on the 25th March, 1699, and was celebrated with the most extravagant rejoicings. Thanks were publicly offered up to God in all the churches of the city. At a public graduation of students, at which the magistrates in their formalities attended, the Professor of Philosophy pronounced a harangue in favour of that settlement, the legality of which, against all other pretenders, was maintained in their printed theses; and it seems even to have been a common subject of declamation from the pulpit."—ARNOT, p. 185.]

sultry climate, and even a more pressing danger than disease itself arose from the scarcity of food. The provisions which the colonists had brought from Scotland were expended, and the country afforded them only such supplies as could be procured by the precarious success of fishing and the chase.

This must have been foreseen; but it was never doubted that ample supplies would be procured from the English provinces in North America, which afforded great superabundance of provisions, and from the West India colonies, which always possessed superfluities. It was here that the enmity of the King and the English nation met the unfortunate settlers most unexpectedly, and most severely. In North America, and in the West India islands, the most savage pirates and bucaniers, men who might be termed enemies to the human race, and had done deeds which seemed to exclude them from intercourse with mankind, had nevertheless found repeated refuge,—had been permitted to refit their squadrons, and, supplied with every means of keeping the sea, had set sail in a condition to commit new murders and piracies. But no such relief was extended to the Scottish colonists at Darien, though acting under a charter from their Sovereign, and establishing a peaceful colony according to the law of nations, and for the universal benefit of mankind.

The governors of Jamaica, Barbadoes, and New York, published proclamations, setting forth, that whereas it had been signified to them (the gover-

nors) by the English Secretary of State, that his Majesty was unacquainted with the purpose and design of the Scottish settlers at Darien (which was a positive falsehood), and that it was contrary to the peace entered into with his Majesty's allies (no European power having complained of it), and that the governors of the said colonies had been commanded not to afford them any assistance; therefore, they did strictly charge the colonists over whom they presided, to hold no correspondence with the said Scots, and to give them no assistance of arms, ammunition, provisions, or any other necessary whatsoever, either by themselves or any others for them; as those transgressing the tenor of the proclamation would answer the breach of his Majesty's commands at their highest peril.

These proclamations were strictly obeyed; and every species of relief, not only that which countrymen may claim of their fellow-subjects, and Christians of their fellow-Christians, but such as the vilest criminal has a right to demand, because still holding the same human shape with the community whose laws he has offended,—the mere supply, namely, of sustenance, the meanest boon granted to the meanest beggar,—was denied to the colonists of Darien.

Famine aided the diseases which swept them off in large numbers; and undoubtedly they, who thus perished for want of the provisions for which they were willing to pay, were as much murdered by King William's government, as if they had been shot in the snows of Glencoe. The various miseries

of the colony became altogether intolerable, and, after waiting for assistance eight months, by far the greater part of the adventurers having died, the miserable remainder abandoned the settlement.[1]

Shortly after the departure of the first colony, another body of thirteen hundred men, who had been sent out from Scotland, arrived at Darien, under the hope of finding their friends in health, and the settlement prosperous. This reinforcement suffered by a bad passage, in which one of their ships was lost, and several of their number died. They took possession of the deserted settlement with sad anticipations, and were not long in experiencing the same miseries which had destroyed and dispersed their predecessors. Two months after, they were joined by Campbell of Finab, with a third body of three hundred men, chiefly from his own Highland estate, many of whom had served under him in Flanders, where he had acquired an honourable military reputation. It was time the colony should receive such military support, for, in addition to their other difficulties, they were now threatened by the Spaniards.

Two years had elapsed since the colonization of Darien had become matter of public discussion, and notwithstanding their feverish jealousy of their South American settlements, the Spaniards had not made any remonstrance against it. Nay, so close

[1] ["The more generous savages, by hunting and fishing for them, gave them that relief which fellow Britons refused. Paterson, who had been the first that entered the ship at Leith, was the last who went on board at Darien."—HODGE'S *Vindication of the Scots Design*, apud DALRYMPLE, vol. ii. p. 98.]

and intimate was the King of Spain's friendship with King William, that it seems possible he might never have done so, unless the colonists had been disowned by their Sovereign; as if they had been vagabonds and outlaws. But finding the Scottish colony so treated by their Prince, the Spaniards felt themselves invited in a manner to attack it, and not only lodged a remonstrance against the settlement with the English Cabinet, but seized one of the vessels wrecked on the coast, confiscated the ship, and made the crew prisoners. The Darien Company sent an address to the King by the hands of Lord Basil Hamilton, remonstrating against this injury; but William, who studied every means to discountenance the unfortunate scheme, refused, under the most frivolous pretexts, to receive the petition. This became so obvious, that the young nobleman determined that the address should reach the royal hands in season or out of season, and taking a public opportunity to approach the King as he was leaving the saloon of audience, he obtruded himself and the petition upon his notice, with more bluntness than ceremony. "That young man is too bold," said William; but, doing justice to Lord Basil's motive, he presently added,—"if a man *can* be too bold in the cause of his country."

The fate of the colony now came to a crisis. The Spaniards had brought from the Pacific a force of sixteen hundred men, who were stationed at a place called Tubucantee, waiting the arrival of an armament of eleven ships, with troops on board, destined to attack fort Saint Andrew. Captain

Campbell, who, by the unanimous consent of the settlers, was chosen to the supreme military command, marched against them with two hundred men, surprised and stormed their camp, and dispersed their army, with considerable slaughter. But in returning from his successful expedition, he had the mortification to learn that the Spanish ships had arrived before the harbour, disembarked their troops, and invested the place. A desperate defence was maintained for six weeks; until loss of men, want of ammunition, and the approach of famine, compelled the colonists to an honourable surrender.[1] The survivors of this unhappy settlement were so few, and so much exhausted, that they were unable to weigh the anchor of the vessel, called The Rising Sun, in which they were to leave the fatal shore, without assistance from the conquering Spaniards.[2]

[1] ["Captain Campbell stood a siege near six weeks, till almost all his officers were dead, the enemy by their approaches had cut off his wells, and his balls were so far expended, that he was obliged to melt the pewter dishes of the garrison into balls. The garrison then capitulated, and obtained not only the common honours of war, and security for the property of the Company, but, as if they had been conquerors, exacted hostages for performance of the conditions. Captain Campbell alone desired to be exempted from the capitulation, saying he was sure the Spaniards could not forgive him the mischief he had so lately done them. The brave by their courage often escape that death which they seem to provoke; Captain Campbell made his escape in his vessel, and stopping no where, arrived safely at New York, and from thence to Scotland, where the Company presented him with a gold medal in which his virtue was commemorated—There is an engraving of the medal in Nisbet's Heraldry."—DALRYMPLE, vol. ii. p. 103.]

[2] ["The generous Spaniards assisted them. In going out of

Thus ended the attempt of Darien, an enterprise splendid in itself, but injudicious, because far beyond the force of the adventurous little nation by which it was undertaken. Paterson survived the disaster, and, even when all was over, endeavoured to revive the scheme, by allowing the English three-fourths in a new Stock Company. But national animosities were too high to suffer his proposal to be listened to. He died at an advanced age, poor and neglected.[1]

The failure of this favourite project, deep sorrow for the numbers who had fallen, many of whom were men of birth and blood, the regret for pecuniary losses, which threatened national bankruptcy,

the harbour the vessel ran aground; the prey was tempting; and to obtain it, the Spaniards had only to stand by, and look on: But they showed that mercy to the Scots in distress, which General Elliot returned to their posterity at Gibraltar. The Darien ships being leaky, and weakly manned, were obliged in their voyage to take shelter in different ports belonging to Spain and England. The Spaniards in the New World showed them kindness; the English governments showed them none; and in one place one of their ships was seized and detained—one was lost on the bar of Charlestown—only Captain Campbell and another one were saved. Of the colony not more than thirty, saved from war, shipwreck, or disease, ever saw their own country again."—DALRYMPLE, vol. ii. p. 103.]

[1] [Of William Paterson's life, very little is known beyond what has been embraced in Sir Walter Scott's narrative. The Statistical Account of Scotland records his having been born at a farm called Skipmyre, in the parish of Tinwald, Dumfriesshire, about the year 1660, and his having represented Dumfries, &c. more than once in the Scottish Parliament. (Vol. i. p. 165.) He projected the Bank of Scotland, as established in 1695. Sir John Dalrymple says, "He was one of the very few of his countrymen who never drank wine, and who was by nature void of passion."]

and indignation at the manner in which their charter had been disregarded, all at once agitated from one end to the other a kingdom, which is to a proverb proud, poor, and warm in their domestic attachments. Nothing could be heard throughout Scotland but the language of grief and of resentment. Indemnification, redress, revenge, were demanded by every mouth, and each hand seemed ready to vouch for the justice of the claim. For many years, no such universal feeling had occupied the Scottish nation.[1]

King William remained indifferent to all complaints of hardship and petitions of redress, unless when he showed himself irritated by the importunity of the supplicants, and hurt at being obliged to evade what it was impossible for him, with the least semblance of justice, to refuse. The motives of a Prince, naturally just and equitable, and who, himself the President of a great trading nation, knew well the injustice which he was committing,

[1] ["Upon news being received (at Edinburgh, 1700) of the defeat of the Spaniards, a mob arose, obliged the inhabitants to illuminate their windows, committed outrages upon the houses of those who did not honour them by compliance, secured the avenues to the city, and proceeded to the tolbooth, the doors of which they burnt, and set at liberty two printers, who had been confined for printing pamphlets reflecting on the Government. But when it was understood that they (the Darien colony) were driven from their settlement, their capital lost, and their hopes utterly extinguished, they were seized with a transport of fury. Violent addresses were presented to the King; and the mob were so outrageous, that the Commissioner and Officers of State found it prudent to retire for a few days, least they should have fallen sacrifices to popular fury."—ARNOT, p. 185.]

seem to have been, first, a reluctance to disoblige the King of Spain, but, secondly, and in a much greater degree, what William might esteem the political necessity of sacrificing the interests of Scotland to the jealousy of England, a jealousy equally unworthy and impolitic. But what is unjust can never be in a true sense necessary, and the sacrifice of principle to circumstances will, in every sense, and in all cases, be found as unwise as it is unworthy.

It is, however, only justice to William to state, that though in the Darien affair he refused the Scots the justice which was unquestionably their due, he was nevertheless the only person in either kingdom who proposed, and was anxious to have carried into execution, an union between the kingdoms, as the only effectual means of preventing in future such subjects of jealousy and contention. But the prejudices of England as well as Scotland, rendered more inveterate by this unhappy quarrel, disappointed the King's wise and sagacious overture.

Notwithstanding the interest in her welfare which King William evinced, by desiring the accomplishment of an union, the people of Scotland could not forget the wrongs which they had received concerning the Darien project; and their sullen resentment showed itself in every manner, excepting open rebellion, during the remainder of his reign.

In this humour, Scotland became a useless possession to the King. William could not wring from that kingdom one penny for the public service, or what he would have valued more, one re-

cruit to carry on his continental campaigns. These hostile feelings subsisted to a late period.

William died in 1701, having for six years and upwards survived his beloved consort Queen Mary. This great King's memory was, and is, justly honoured in England, as their deliverer from slavery, civil and religious, and is almost canonized by the Protestants of Ireland, whom he rescued from subjugation, and elevated to supremacy. But in Scotland, his services to church and state, though at least equal to those which he rendered to the sister countries, were in a considerable degree obliterated by the infringement of her national rights, on several occasions. Many persons, as well as your grandfather, may recollect, that on the 5th of November, 1788, when a full century had elapsed after the Revolution, some friends to constitutional liberty proposed that the return of the day should be solemnized by an agreement to erect a monument to the memory of King William, and the services which he had rendered to the British kingdoms. At this period an anonymous letter appeared in one of the Edinburgh newspapers, ironically applauding the undertaking, and proposing as two subjects of the entablature, for the base of the projected column, the massacre of Glencoe, and the distresses of the Scottish colonists at Darien. The proposal was abandoned as soon as this insinuation was made public.[1] You may observe from this how cautious a monarch should be of committing wrong or in-

[1] [See a copy of this *jeu d'esprit* in the Scots Magazine of November 1788.]

justice, however strongly recommended by what may seem political necessity; since the recollection of such actions cancels the sense of the most important national services, as in Scripture it is said, "that a dead fly will pollute a rich and costly unguent."

James II. died only four months before his son-in-law William. The King of France proclaimed James's son, that unfortunate Prince of Wales, born in the very storm of the Revolution, as William's successor in the kingdoms of England, Scotland, and Ireland; a step which greatly irritated the three nations, to whom Louis seemed by this act disposed to nominate a sovereign. Anne, the sister of the late Queen Mary, ascended the throne of these kingdoms, according to the provision made at the Revolution by the legislature of both nations.

CHAPTER LX.

Reign of Queen Anne—State of Parties in Scotland—English Act of Succession—Opposition to it in Scotland, and Act of Security—Trial and Execution of Captain Green—The Union.

[1701—1707.]

At the period of Queen Anne's accession, Scotland was divided into three parties. These were, first, the Whigs, stanch favourers of the Revolution, in the former reign called Williamites; secondly, the Tories, or Jacobites, attached to the late King; and thirdly, a party sprung up in consequence of the general complaints arising out of the Darien adventure, who associated themselves for asserting the rights and independence of Scotland.

This latter association comprehended several men of talent, among whom Fletcher of Saltoun, already mentioned, was the most distinguished. They professed, that providing the claims and rights of the country were ascertained and secured against the encroaching influence of England, they did not care whether Anne or her brother, the titular Prince of Wales, was called to the throne. These statesmen called themselves the Country Party, as embracing

exclusively for their object the interests of Scotland alone. This party, formed upon a plan and principle of political conduct hitherto unknown in the Scottish Parliament, was numerous, bold, active, and eloquent; and as a critical period had arrived in which the measures to be taken in Scotland must necessarily greatly affect the united empire, her claims could no longer be treated with indifference or neglect, and the voice of her patriots disregarded.

The conjuncture which gave Scotland new consequence, was as follows:—When Queen Anne was named to succeed to the English throne, on the death of her sister Mary, and brother-in-law William III., she had a family. But the young Duke of Gloucester, the last of her children, had died before her accession to the crown, and there were no hopes of her having more; it became, therefore, necessary to make provision for the succession to the crown when the new Queen should die. The titular Prince of Wales, son of the abdicated James, was undoubtedly the next heir; but he was a Catholic, bred up in the court of France, inheriting all the extravagant claims, and probably the arbitrary sentiments, of his father; and to call him to the throne, would be in all likelihood to undo the settlement between king and people which had taken place at the Revolution. The English legislature, therefore, turned their eyes to another descendant of King James VI., namely, Sophia, the Electress Dowager of Hanover, grand-daughter of James the First of England and Sixth of

Scotland, by the marriage of his daughter, Elizabeth, with the Prince Palatine. This Princess was the nearest Protestant heir in blood to Queen Anne, supposing the claims of the son of James II. were to be passed over. She was a Protestant, and would necessarily, by accepting the crown, become bound to maintain the civil and religious rights of the nation, as settled at the Revolution, upon which her own right would be dependent. For these weighty reasons the English Parliament passed an Act of Succession, settling the crown, on the failure of Queen Anne and her issue, upon the Princess Sophia, Electress Dowager of Hanover, and her descendants. This act, most important in its purport and consequences, was passed in June, 1700.

It became of the very last importance to Queen Anne's administration, to induce, if possible, the legislation of Scotland to settle the crown of that kingdom on the same series of heirs to which that of England was destined. If, after the death of Queen Anne, the Scottish nation, instead of uniting in choosing the Electress Sophia, should call to the crown the titular Prince of Wales, the two kingdoms would again be separated, after having been under the same sway for a century, and all the evils of mutual hostilities betwixt the two extremities of the island, encouraged by the alliance and assistance of France, must again distract Great Britain. It became necessary, therefore, to try every species of persuasion to prevent a consequence fraught with so much mischief.

But Scotland was not in a humour to be either threatened or soothed into the views of England on this important occasion. The whole party of Anti-Revolutionists, Jacobites, or, as they called themselves, Cavaliers, although they thought it prudent for the present to submit to Queen Anne, entertained strong hopes that she herself was favourable to the succession of her brother after her own death; while their principles dictated to them that the wrong, as they termed it, done to James II., ought as speedily as possible to be atoned for by the restoration of his son. They were of course directly and violently hostile to the proposed Act of Settlement in favour of the Electress Sophia.

The country party, headed by the Duke of Hamilton, and the Marquis of Tweeddale, opposed the Act of Succession for different reasons. They resolved to take this favourable opportunity to diminish or destroy the ascendency which had been exercised by England respecting the affairs of Scotland, and which, in the case of Darien, had been so unjustly and unworthily employed to thwart and disappoint a national scheme. They determined to obtain for Scotland a share in the plantation trade of England, and a freedom from the restrictions imposed by the English Navigation Act, and other regulations enacted to secure a monopoly of trade to the English nation. Until these points were determined in favour of Scotland, they resolved they would not agree to pass the Act of Succession, boldly alleging, that unless the rights and privileges of Scotland were to be

respected, it was of little consequence whether she chose a king from Hanover or Saint Germains.

The whole people of Scotland, excepting those actually engaged in the administration, or expecting favours from the court, resolutely adopted the same sentiments, and seemed resolved to abide all the consequences of a separation of the two kingdoms, nay, of a war with England, rather than name the Electress Sophia successor to the crown, till the country was admitted to an equitable portion of those commercial privileges which England retained with a tenacious grasp. The crisis seemed an opportunity of Heaven's sending, to give Scotland consequence enough to insist on her rights.

With this determined purpose, the country party in the Scottish Parliament, instead of adopting, as the English ministers eagerly desired, the Protestant Act of Succession, proposed a measure called an Act of Security. By this it was provided, that in case of Queen Anne's death without children, the whole power of the crown should, for the time, be lodged in the Scottish Parliament, who were directed to choose a successor of the royal line and Protestant religion. But the choice was to be made with this special reservation, that the person so chosen should take the throne only under such conditions of government as should secure, from English or foreign influence, the honour and independence of the Scottish crown and nation. It was further stipulated, that the same person should be incapable of holding the crowns of both kingdoms, unless the Scottish people were

admitted to share with the English the full benefits of trade and navigation. That the nation might assume an appearance of strength necessary to support such lofty pretensions, it was provided by the same statute, that the whole men in Scotland capable of bearing arms, should be trained to the use of them by monthly drills; and, that the influence of England might expire at the same time with the life of the Queen, it was provided that all commissions of the officers of state, as well as those of the military employed by them, should cease and lose effect so soon as Anne's death took place.

This formidable act, which in fact hurled the gauntlet of defiance at the far stronger kingdom of England, was debated in the Scottish Parliament, clause by clause, and article by article, with the utmost fierceness and tumult. "We were often," says an eyewitness, "in the form of a Polish Diet, with our swords in our hands, or at least our hands on our swords."

The Act of Security was carried in Parliament by a decided majority, but the Queen's commissioner refused the royal assent to so violent a statute. The Parliament, on their part, would grant no supplies, and when such were requested by the members of administration, the hall rung with the shouts of "Liberty before subsidy!" The Parliament was adjourned amidst the mutual discontent of both Ministers and Opposition.

The dispute betwixt the two nations was embroiled during the recess of Parliament by intrigues. Simon Fraser of Beaufort, afterwards Lord Lovat,

had undertaken to be the agent of France in a Jacobite conspiracy, which he afterwards discovered to Government, involving in his accusation the Duke of Hamilton, and other noblemen. The persons accused defended themselves by alleging that the plot was a mere pretext, devised by the Duke of Queensberry, to whom it had been discovered by Fraser. The English House of Peers, in allusion to this genuine or pretended discovery, passed a vote, that a dangerous plot had existed in Scotland, and that it had its origin in the desire to overthrow the Protestant succession in that nation. This resolution was highly resented by the Scots, being considered as an unauthorized interference, on the part of the English peers, with the concerns of another kingdom. Every thing seemed tending to a positive rupture between the sister kingdoms; and yet, my dear child, it was from this state of things that the healing measure of an incorporating Union finally took its rise.

In the very difficult and critical conduct which the Queen had to observe betwixt two high-spirited nations, whose true interest it was to enter into the strictest friendship and alliance, but whose irritated passions for the present breathed nothing but animosity, Anne had the good fortune to be assisted by the wise counsels of Godolphin, one of the most sagacious and profound ministers who ever advised a crowned head. By his recommendation, the Queen proceeded upon a plan, which, while at first sight it seemed to widen the breach between the two nations, was in the end to prove

the means of compelling both to lay aside their mutual prejudices and animosities. The scheme of a Union was to be proceeded upon, like that of breaking two spirited horses to join in drawing the same yoke, when it is of importance to teach them, that by moving in unison, and at an equal pace, the task will be easy to them both. Godolphin's first advice to the Queen was, to suffer the Scottish Act of Security to pass. The English, in their superior wealth and importance, had for many years looked with great contempt on the Scottish nation, as compared with themselves, and were prejudiced against the Union, as a man of wealth and importance might be against a match with a female in an inferior rank of society. It was necessary to change this feeling, and to show plainly to the English people, that, if the Scots were not allied with them in intimate friendship, they might prove dangerous enemies.

The Act of Security finally passed in 1704, having, according to Godolphin's advice, received the Queen's assent; and the Scottish Parliament, as the provisions of the statute bore, immediately began to train their countrymen, who have always been attached to the use of arms, and easily submit to military discipline.

The effect of these formidable preparations was, to arouse the English from their indifference to Scottish affairs. Scotland might be poor, but her numerous levies, under sanction of the Act of Security, were not the less formidable. A sudden inroad on Newcastle, as in the great Civil War,

would distress London, by interrupting the coal trade; and whatever might be the event, the prospect of a civil war, as it might be termed, after so long a tract of peace, was doubtful and dangerous.

The English Parliament, therefore, showed a mixture of resentment tempered with a desire of conciliation. They enacted regulations against the Scottish trade, and ordered the Border towns of Newcastle, Berwick, and Carlisle, to be fortified and garrisoned; but they declined, at the same time, the proposed measure of enquiring concerning the person who advised the Queen to consent to the Act of Security. In abstaining from this, they paid respect to Scottish independence, and at the same time, by empowering the Queen to nominate Commissioners for a Union, they seemed to hold out the olive branch to the sister kingdom.

While this lowering hurricane appeared to be gathering darker and darker betwixt the two nations, an incident took place which greatly inflamed their mutual resentment.

A Scottish ship,[1] equipped for a voyage to India, had been seized and detained in the Thames, at the instance of the English East India Company. The Scots were not in a humour to endure this; and by way of reprisal, they took possession of a large English vessel trading to India, called the Worcester, which had been forced into the frith of Forth by unfavourable weather. There was something suspicious about this vessel. Her men

[1] [The Annandale, belonging to the African Company.]

were numerous, and had the air of pirates. She was better provided with guns and ammunition, than is usual for vessels fitted out merely for objects of trade. A cipher was found among her papers, for corresponding with the owners, as if upon secret and dangerous business. All these mysterious circumstances seemed to intimate, that the Worcester, as was not uncommon, under the semblance of a trader, had been equipped for the purpose of exercising, when in remote Indian latitudes, the profession of a bucanier or pirate.

One of the seamen belonging to this ship, named Haines, having been ashore with some company, and drinking rather freely, fell into a fit of melancholy, an effect which liquor produces on some constitutions, and in that humour told those who were present, that it is a wonder his captain and crew were not lost at sea, considering the wickedness which had been done aboard that ship which was lying in the roadstead. Upon these and similar hints[1] of something doubtful or illegal, the Scottish authorities imprisoned the officers and sailors of the Worcester, and examined them ri-

[1] ["And further," says the indictment, "the said Haines said that if what John Madder had done in the said voyage were well known, he deserved as much as his uncle met with at Amsterdam, who was there burnt in oil for attempting to burn their ships. And when at another time the said Anna Seaton told Haines, that she had an old sweetheart who went away with Captain Drummond, and would gladly hear some tidings whether he was dead or alive, the said Haines, who was then a suitor to Anna Seaton, assured her she would never see him again if he was in Drummond's ship," &c. *Trial of Captain Thomas Green*, &c. Edin. folio, 1705, p. 5.]

gorously, in order to discover what the expressions of their shipmate referred to.

Among other persons interrogated, a black slave of the captain (surely a most suspicious witness) told a story, that the Worcester, during their late voyage, had, upon the Coromandel coast, near Calicut, engaged, and finally boarded and captured a vessel bearing a red flag, and manned with English, or Scotch, or at least with people speaking the English language; that they had thrown the crew overboard, and disposed of the vessel and the cargo to a native merchant. This account was in some degree countenanced by the surgeon of the Worcester, who, in confirmation of the slave's story, said, that being on shore in a harbour on the coast of Malabar, he heard the discharge of great guns at sea; and saw the Worcester, which had been out on a cruize, come in next morning with another vessel under her stern, which he understood was afterwards sold to a native merchant. Four days afterwards he went on board the Worcester, and finding her decks lumbered with goods, made some enquiry of the crew how they had come by them, but was checked for doing so by the mate, and desired to confine himself to his own business. Farther, the surgeon stated, that he was called to dress the wounds of several of the men, but the captain and mate forbade him to ask, or the patients to answer, how they came by their hurts.

Another black servant, or slave, besides the one before mentioned, had not himself seen the capture of the supposed ship, or the death of the crew, but

had been told of it by the first informer, shortly after it happened. Lastly, a Scottish witness declared that Green, the captain of the vessel, had shown him a seal bearing the arms of the Scottish African and Indian Company.

This story was greatly too vague to have been admitted to credit on any occasion when men's minds were cool and their judgments unprejudiced. But the Scottish nation was almost frantic with resentment on the subject of Darien. One of the vessels belonging to that unfortunate Company, called the Rising Sun, and commanded by Captain Robert Drummond, had been amissing for some time; and it was received as indisputable truth, that this must have been the vessel taken by the Worcester, and that her master and men had been murdered, according to the black slave's declaration.

Under this cloud of prejudice, Green, with his mate and crew, fifteen men in all, were brought to trial for their lives. Three of these unfortunate men, Linstead, the supercargo's mate, Bruckley, the cooper of the Worcester, and Haines, whose gloomy hints gave the first suspicion, are said to have uttered declarations before trial, confirming the truth of the charge, and admitting that the vessel so seized upon was the Rising Sun, and that Captain Robert Drummond and his crew were the persons murdered in the course of that act of piracy. But Haines seems to have laboured under attacks of hypochondria, which sometimes induce men to suppose themselves spectators and accomplices in

crimes which have no real existence. Linstead, like the surgeon May, only spoke to a hearsay story, and that of Bruckley was far from being clear. It will hereafter be shown, that if any ship was actually taken by Green and his crew, it could not be that of Captain Drummond, which met a different fate. This makes it probable, that these confessions were made by the prisoners only in the hope of saving their own lives, endangered by the fury of the Scottish people. And it is certain that none of these declarations were read, or produced as evidence, in court, nor were those stated to have made them examined as witnesses.

The trial of Green and his crew took place before the High Court of Admiralty; and a jury, upon the sole evidence of the black slave,—for the rest was made up of suggestions, insinuations, and reports, taken from hearsay,—brought in a verdict of guilty against Green and all his crew. The Government were disposed to have obtained a reprieve from the crown for the prisoners, whose guilt was so very doubtful; but the mob of Edinburgh, at all times a fierce and intractable multitude, arose in great numbers, and demanded their lives with such an appearance of uncontrollable fury, that the authorities became intimidated, and yielded. Captain Green himself, Madder his first mate, and Simpson the gunner, were dragged to Leith, loaded by the way with curses and execrations, and even struck at and pelted by the furious populace; and finally executed in terms of their sentence, denying with their last breath the crime which they were accused of. April, 1705.

The ferment in Scotland was somewhat appeased by this act of vengeance, for it has no title to be called a deed of justice. The remainder of Green's crew were dismissed after a long imprisonment, during the course of which cooler reflection induced doubts of the validity of the sentence. At a much later period it appeared, that, if the Worcester had committed an act of piracy upon any vessel, it could not at least have been on the Rising Sun, which ship had been cast away on the island of Madagascar, when the crew were cut off by the natives, excepting Captain Drummond himself, whom Drury, an English seaman in similar circumstances, found alive upon the island [1]

This unhappy affair, in which the Scots, by their precipitate and unjust procedure, gave the deepest offence to the English nation, tended greatly to increase the mutual prejudices and animosity of the people of both countries against each other.[2] But

[1] This, however, supposes Drury's Adventures in Madagascar to be a genuine production, of which there may be doubts. ["The Adventures of Robert Drury during fifteen years captivity in the Island of Madagascar, containing a description of that Island, an account of the manners, customs, wars, religion, and policy of its inhabitants, with a vocabulary of the Madagascar language. Written by himself." London, 1729. Reprinted at Edinburgh, 1808.]

[2] ["In Scotland, it was said the court of England would protect Green and his crew, and they would be pardoned, only because they were Scotsmen that were murdered: In England, it was said the rabble cried out to hang them, because they were Englishmen; that they had said, they wished they could hang the whole nation so, and that they insulted them as they went to execution, with the name of English dogs," &c. "Nor can I forget to note, that no sooner was the sacrifice made, and the men dead, but even the same rabble, so fickle is the multitude, ex-

the very extremity of their mutual enmity inclined wise men of both nations to be more disposed to submit to a Union, with all the inconveniences and difficulties which must attend the progress of such a measure, rather than that the two divisions of the same island should again engage in intestine war.

The principal obstacle to a Union, so far as England was concerned, lay in a narrow-minded view of the commercial interests of the nation, and a fear of the loss which might accrue by admitting the Scots to a share of their plantation trade, and other privileges. But it was not difficult to show, even to the persons most interested, that public credit and private property would suffer immeasurably more by a war with Scotland, than by sacrificing to peace and unity some share in the general commerce. It is true, the opulence of England, the command of men, the many victorious troops which she then had in the field, under the best commanders in Europe, seemed to ensure final victory, if the two nations should come to open war. But a war with Scotland was always more easily begun than ended; and wise men saw it would be better to secure the friendship of that kingdom by an agreement on the basis of mutual advantage, than to incur the risk of invading, and the final necessity of securing it as a conquered country, by means of forts and garrisons. In the one case, Scotland would become an integral part

claimed at their own madness, and openly regretted what they had done, and were ready to tear one another to pieces for the excess."—DEFOE, *Hist. of the Union*, 4to, p. 82.]

of the empire; and, improving in the arts of peaceful industry, must necessarily contribute to the prosperity of England. In the case supposed, she must long remain a discontented and disaffected province, in which the exiled family of James II. and his allies the French would always find friends and correspondents. English statesmen were therefore desirous of a union. But they stipulated that it should be of the most intimate kind; such as should free England from the great inconvenience arising from the Scottish nation possessing a separate legislature and constitution of her own: and in order to blend her interests indelibly with those of England, they demanded that the supreme power of the state should be reposed in a Parliament of the united countries, to which Scotland might send a certain proportion of members, but which should meet in the English capital, and be of course more immediately under the influence of English counsels and interests.

The Scottish nation, on the other hand, which had of late become very sensible of the benefits of foreign trade, were extremely desirous of a federative union, which should admit them to the commercial advantages which they coveted. But while they grasped at a share in the English trade, they desired that Scotland should retain her rights as a separate kingdom, making as heretofore her own laws, and adopting her own public measures, uncontrolled by the domination of England. Here, therefore, occurred a preliminary point of dispute,

which was necessarily to be settled previous to the farther progress of the treaty.

In order to adjust the character of the proposed Union-treaty in this and other particulars, commissioners for both kingdoms were appointed to make a preliminary enquiry, and report upon the articles which ought to be adopted as the foundation of the measure, and which report was afterwards to be subjected to the Legislatures of both kingdoms.

The English and Scottish commissioners being both chosen by the Queen, that is, by Godolphin and the Queen's ministers, were indeed taken from different parties, but carefully selected, so as to preserve a majority of those who could be reckoned upon as friendly to the treaty, and who would be sure to do their utmost to remove such obstacles as might arise in the discussion.

I will briefly tell you the result of these numerous and anxious debates. The Scottish commissioners, after a vain struggle, were compelled to submit to an incorporating Union, as that which alone would ensure the purposes of combining England and Scotland into one single nation, to be governed in its political measures by the same Parliament. It was agreed, that in contributing to the support of the general expenses of the kingdom, Scotland should pay a certain proportion of taxes, which were adjusted by calculation. But in consideration that the Scots, whose revenue, though small, was unencumbered, must thereafter become liable for a share of the debt which Eng-

land had incurred since the Revolution, a large sum of ready money was to be advanced to Scotland as an equivalent for that burden; which sum, however, was to be repaid to England gradually from the Scottish revenue. So far all went on pretty well between the two sets of commissioners. The English statesmen also consented, with no great scruple, that Scotland should retain her own national Presbyterian Church, her own system of civil and municipal laws, which is in many important respects totally different from that of England, and her own courts for the administration of justice. The only addition to her judicial establishment was the erection of the Court of Exchequer in Scotland, to decide in fiscal matters, and which follows the English forms.

But the treaty was nearly broken off when the English announced, that, in the Parliament of the United Kingdoms, Scotland should only enjoy a representation equal to one thirteenth of the whole number. The proposal was received by the Scottish commissioners with a burst of surprise and indignation. It was loudly urged that a kingdom resigning her ancient independence, should at least obtain in the great national council a representation bearing the same proportion the population of Scotland did to that of England, which was one to six. If this rule, which seems the fairest that could be found, had been adopted, Scotland would have sent sixty-six members to the united Parliament. But the English refused peremptorily to consent to the admission of more than forty-five at

the very utmost; and the Scottish commissioners were bluntly and decisively informed that they must either acquiesce in this proposal, or declare the treaty at an end. With more prudence, perhaps, than spirit, the majority of the commissioners chose to yield the point rather than run the risk of frustrating the Union entirely.

The Scottish Peerage were to preserve all the other privileges of their rank; but their right of sitting in Parliament, and acting as hereditary legislators, was to be greatly limited. Only sixteen of their number were to enjoy seats in the British House of Lords, and these were to be chosen by election from the whole body. Such peers as were amongst the number of commissioners were induced to consent to this degradation of their order, by the assurance that they themselves should be created British peers, so as to give them personally, by charter, the right which the sixteen could only acquire by election.

To smooth over the difficulties, and reconcile the Scottish Commissioners to the conditions which appeared hard to them, and above all, to afford them some compensation for the odium which they were certain to incur, they were given to understand that a considerable sum out of the equivalent money would be secured for their especial use. We might have compassionated these statesmen, many of whom were able and eminent men, had they, from the sincere conviction that Scotland was under the necessity of submitting to the Union at all events, accepted the terms which the English Commissioners

dictated. But when they united with the degradation of their country, the prospect of obtaining personal wealth and private emoluments, we cannot acquit them of the charge of having sold their own honour and that of Scotland. This point of the treaty was kept strictly secret; nor was it fixed how the rest of the equivalent was to be disposed of. There remained a disposable fund of about three hundred and sixty thousand pounds, which was to be bestowed on Scotland in indemnification for the losses of Darien, and other gratuities, upon which all those members of the Scottish parliament who might be inclined to sell their votes, and whose interest was worth purchasing, might fix their hopes and expectations.

When the articles, agreed upon by the Commissioners as the basis of a Union, were made public in Scotland, it became plain that few suffrages would be obtained in favour of the measure, save by menaces or bribery, unless perhaps from a very few, who, casting their eyes far beyond the present time, considered the uniting of the island of Britain as an object which could not be purchased too dearly. The people in general had awaited, in a state of feverish anxiety, the nature of the propositions on which this great national treaty was to rest; but even those who had expected the least favourable terms, were not prepared for the rigour of the conditions which had been adopted, and the promulgation of the articles gave rise to the most general expressions, not only of discontent, but of rage and fury against the proposed Union.

There was indeed no party or body of men in Scotland, who saw their hopes or wishes realized in the plan adopted by the Commissioners. I will show you, in a few words, their several causes of dissatisfaction:

The Jacobites saw in the proposed Union, an effectual bar to the restoration of the Stewart family. If the treaty was adopted, the two kingdoms must necessarily be governed by the English act, settling the succession of the crown on the Electress of Hanover. They were therefore resolved to oppose the Union to the utmost. The Episcopal clergy could hardly be said to have had a separate interest from the Jacobites, and, like them, dreaded the change of succession which must take place at the death of Queen Anne. The Highland chiefs also, the most zealous and formidable portion of the Jacobite interest, anticipated in the Union a decay of their own patriarchal power. They remembered the times of Cromwell, who bridled the Highlands by garrisons filled with soldiers, and foresaw that when Scotland came to be only a part of the British nation, a large standing army, at the constant command of Government, must gradually suppress the warlike independence of the clans.

The Presbyterians of the Church of Scotland, both clergy and laity, were violently opposed to the Union, from the natural apprehension, that so intimate an incorporation of two nations was likely to end in a uniformity of worship, and that the hierarchy of England would, in that case, be extended to the weaker and poorer country of Scotland, to

the destruction of the present establishment. This fear seemed the better founded, as the Bishops, or Lords Spiritual of the English House of Lords, formed a considerable portion of what was proposed to be the legislature of both kingdoms; so that Scotland, in the event of the Union taking place, must, to a certain extent, fall under the dominion of prelates. These apprehensions extended to the Cameronians themselves, who, though having so many reasons to dread the restoration of the Stewarts, and to favour the Protestant succession, looked, nevertheless, on the proposed Union as almost a worse evil, and a still farther departure from the engagements of the Solemn League and Covenant, which, forgotten by all other parties in the nation, was still their professed rule of action.

The nobility and barons of the kingdom were alarmed, lest they should be deprived, after the example of England, of those territorial jurisdictions and privileges which preserved their feudal influence; while, at the same time, the transference of the seat of government to London, must necessarily be accompanied with the abolition of many posts and places of honour and profit, connected with the administration of Scotland as a separate kingdom, and which were naturally bestowed on her nobility and gentry. The Government, therefore, must have so much less to give away, the men of influence so much less to receive; and those who might have expected to hold situations of power and authority in their own country while independent, were likely to lose by the Union both power and patronage.

The persons who were interested in commerce complained, that Scotland was only tantalized by a treaty, which held out to the kingdom the prospect of a free trade, when, at the same time, it subjected them to all the English burdens and duties, raising the expenses of commerce to a height which Scotland afforded no capital to defray; so that the apprehension became general, that the Scottish merchants would lose the separate trade which they now possessed, without obtaining any beneficial share in that of England.

Again, the whole body of Scottish trades-people, artisans, and the like, particularly those of the metropolis, foresaw, that in consequence of the Union, a large proportion of the nobility and gentry would be withdrawn from their native country, some to attend their duties in the British Parliament, others from the various motives of ambition, pleasure, or vanity, which induce persons of comparative wealth to frequent courts, and reside in capitals. The consequences to be apprehended were, that the Scottish metropolis would be deserted by all that were wealthy and noble, and deprived at once of the consideration and advantages of a capital; and that the country must suffer in proportion, by the larger proprietors ceasing to reside on their estates, and going to spend their rents in England.

These were evils apprehended by particular classes of men. But the loss and disgrace to be sustained by the ancient kingdom, which had so long defended her liberty and independence against England, were common to all her children; and

should Scotland at this crisis voluntarily surrender her rank among nations, for no immediate advantages that could be anticipated, excepting such as might be obtained by private individuals, who had votes to sell, and consciences that permitted them to traffic in such ware, each inhabitant of Scotland must have his share in the apprehended dishonour. Perhaps, too, those felt it most, who, having no estates or wealth to lose, claimed yet a share, with the greatest and the richest, in the honour of their common country.

The feelings of national pride were inflamed by those of national prejudice and resentment. The Scottish people complained, that they were not only required to surrender their public rights, but to yield them up to the very nation who had been most malevolent to them in all respects; who had been their constant enemies during a thousand years of almost continual war; and who, even since they were united under the same crown, had shown, in the massacre of Glencoe, and the disasters of Darien, at what a slight price they held the lives and rights of their northern neighbours. The hostile measures adopted by the English Parliament, —their declarations against the Scottish trade,— their preparations for war on the Border,—were all circumstances which envenomed the animosity of the people of Scotland; while the general training which had taken place under the Act of Security, made them confident in their own military strength, and disposed to stand their ground at all hazards.

Moved by anxiety, doubt, and apprehension, an unprecedented confluence of people, of every rank, sex, and age, thronged to Edinburgh from all corners of Scotland, to attend the meeting of the Union Parliament, which met 3d October, 1706.

The Parliament was divided, generally speaking, into three parties. The first was composed of the courtiers or followers of Government determined at all events to carry through the Union, on the terms proposed by the Commissioners. This party was led by the Duke of Queensberry, Lord High Commissioner, a person of talents and accomplishments, and great political address, who had filled the highest situations during the last reigns. He was assisted by the Earl of Mar, Secretary of State, who was suspected to be naturally much disposed to favour the exiled family of Stewart, but who, sacrificing his political principles to love of power or of emolument, was deeply concerned in the underhand and private management by which the Union was carrying through. But the most active agent in the treaty was the Viscount Stair, long left out of administration on account of his share in the scandalous massacre of Glencoe and the affair of Darien. He was raised to an earldom in 1703, and was highly trusted and employed by Lord Godolphin, and the English administration. This celebrated statesman, now trusted and employed, by his address, eloquence, and talents, contributed greatly to accomplish the Union, and gained on that account, from a great majority of his

displeased countrymen, the popular nickname of the Curse of Scotland.

The party opposing the Union consisted of those who were attached to the Jacobite interest, joined with the country party, who, like Fletcher of Saltoun, resisted the treaty, not on the grounds of the succession to the crown, but as destructive of the national independence of the kingdom. They were headed by the Duke of Hamilton, the premier peer of Scotland, an excellent speaker,[1] and admirably qualified to act as the head of a party in ordinary times, but possessed of such large estates as rendered him unwilling to take any decisive steps by which his property might be endangered. To this it seems to have been owing, that the more decided and effectual measures, by which alone the Union treaty might have been defeated, though they often seemed to gain his approbation for a

[1] ["The last session of the last Parliament of Scotland commenced 3d October, 1706. The treaty of Union met with the most determined opposition from the Duke of Hamilton, who in the debate respecting the first article of that treaty, 2d November, said, 'What! shall we in half an hour yield what our forefathers maintained with their lives and fortunes for many ages? Are none of the descendants here of those worthy patriots who defended the liberty of their country against all invaders, who assisted the great King Robert Bruce to restore the constitution, and avenge the falsehood of England and usurpation of Baliol? Where are the Douglasses and the Campbells? Where are the peers, where are the barons, once the bulwark of the nation? Shall we yield up the sovereignty and independency of the nation, when we are commanded by those we represent to preserve the name, and assured of their assistance to support us?' This speech drew tears from the eyes of many of his auditors."—Wood's *Peerage*, vol. i. p. 715.]

time, never had his hearty or effectual support in the end.

There was a third party, greatly smaller than either of the others, but which secured to themselves a degree of consequence by keeping together, and affecting to act independently of the rest, from which they were termed the Squadróne Volánte. They were headed by the Marquis of Tweeddale, and consisted of the members of an administration of which the Marquis had been the head, but which were turned out of office to make way for the Duke of Queensberry and the present ruling party. These discontented politicians were neither favourers of the Court which had dismissed them, nor of the opposition party. To speak plainly, in a case where their country demanded of them a decisive opinion, the Squadróne seem to have waited to see what course of conduct would best serve their own interest. We shall presently see that they were at last decided to support the treaty by a reconciliation with the court.

The unpopularity of the proposed measure throughout Scotland in general, was soon made evident by the temper of the people of Edinburgh. The citizens of the better class exclaimed against the favourers of the Union, as willing to surrender the sovereignty of Scotland to her ancient rival, whilst the populace stated the same idea in a manner more obvious to their gross capacities, and cried out that the Scottish crown, sceptre, and sword, were about to be transferred to England, as they had been in the time of the usurper, Edward Longshanks.

On the 23d October, the popular fury was at its height. The people crowded together in the High Street and Parliament Square, and greeted their representatives as friends or enemies to their country, according as they opposed or favoured the Union. The Commissioner was bitterly reviled and hooted at, while, in the evening of the day, several hundred persons escorted the Duke of Hamilton to his lodgings, encouraging him by loud huzzas to stand by the cause of national independence. The rabble next assailed the house of the Lord Provost, destroyed the windows, and broke open the doors, and threatened him with instant death as a favourer of the obnoxious treaty.[1]

Other acts of riot were committed, which were not ultimately for the advantage of the Anti-

[1] ["Above three or four hundred of them being thus employed," says Lockhart of Carnwath, "did as soon as they left his Grace (of Hamilton) hasten in a body to the house of Sir Patrick Johnstone, their late darling provost, who sat as one of the representatives of Edinburgh in Parliament, and searched his house for him, but he having narrowly made his escape, prevented his being torn in a thousand pieces. From thence the mob, which was increased to a great number, went through the streets, threatening destruction to all the promoters of the Union, and continued for four or five hours in this temper; till about three next morning, a strong detachment of the foot guards was sent to secure the gate called the Netherbow port, and keep guard in the Parliament Close. 'Tis not to be expressed how great the consternation was that seized the courtiers on this occasion; formerly they did not, or pretended not to believe the disposition of the people against the Union, but now they were thoroughly convinced of it, and terribly afraid of their lives; this passage making it evident that the Union was crammed down Scotland's throat."—*Memoirs concerning the Affairs of Scotland, from Queen Anne's Accession to the Union*, LOCKHART *Papers*, vol. i. p. 163.]

Unionists, since they were assigned as reasons for introducing strong bodies of troops into the city. These mounted guard in the principal streets; and the Commissioner dared only pass to his coach through a lane of soldiers under arms, and was then driven to his lodgings in the Canongate amidst repeated volleys of stones and roars of execration. The Duke of Hamilton continued to have his escort of shouting apprentices, who attended him home every evening.

But the posting of the guards overawed opposition both within and without the Parliament; and, notwithstanding the remonstrances of the opposition party, that it was an encroachment both on the privileges of the city of Edinburgh and of the Parliament itself, the hall of meeting continued to be surrounded by a military force.

The temper of the kingdom of Scotland at large was equally unfavourable to the treaty of Union with that of the capital. Addresses against the measure were poured into the House of Parliament from the several shires, counties, burghs, towns, and parishes. Men, otherwise the most opposed to each other, Whig and Tory, Jacobite and Williamite, Presbyterian, Episcopalian, and Cameronian, all agreed in expressing their detestation of the treaty, and imploring the Estates of Parliament to support and preserve entire the sovereignty and independence of the Crown and kingdom, with the rights and privileges of Parliament, valiantly maintained through so many ages, so that the succeeding generations might receive them unimpair-

ed; in which good cause the petitioners offered to concur with life and fortune. While addresses of this description loaded the table of the Parliament, the promoters of the Union could only procure from a few persons in the town of Ayr a single address in favour of the measure, which was more than overbalanced by one of an opposite tendency, signed by a very large majority of the inhabitants of the same burgh.

The Unionists, secure in their triumphant majorities, treated these addresses with scorn. The Duke of Argyle said, they were only fit to be made kites of, while the Earl of Marchmont proposed to reject them as seditious, and, as he alleged, got up collusively, and expressing the sense of a party rather than of the nation. To this it was boldly answered by Sir James Foulis of Colington, that, if the authenticity of the addresses were challenged, he had no doubt that the parties subscribing would attend the right honourable House in person, and enforce their petitions by their presence. This was an alarming suggestion, and ended the debate.

Amongst these addresses against the Union, there was one from the Commission of the General Assembly, which was supposed to speak the sentiments of most of the clergymen of the Church of Scotland, who saw great danger to the Presbyterian Church from the measure under deliberation. But much of the heat of the clergy's opposition was taken off by the Parliament's passing an act for the Security of the Church of Scotland as by law established at the Revolution, and making this decla-

ration an integral part of the treaty of Union. This cautionary measure seems to have been deemed sufficient; and although some presbyteries sent addresses against the Union, and many ministers continued to preach violently on the subject, yet the great body of the clergy ceased to vex themselves and others with the alarming tendency of the measure, so far as religion and church discipline were concerned.

The Cameronians, however, remained unsatisfied, and not having forgotten the weight which their arms had produced at the time of the Revolution, they conceived that a similar crisis of public affairs had again arrived, and required their active interference. Being actually embodied and possessed of arms, they wanted nothing save hardy and daring leaders to have engaged them in actual hostilities. They were indeed so earnest in opposing the Union, that several hundreds of them appeared in formal array, marched into Dumfries, and, drawing up in military order around the cross of the town, solemnly burnt the articles of Union, and published a testimony, declaring that the Commissioners who adjusted them must have been either silly, ignorant, or treacherous, if not all three, and protesting, that if an attempt should be made to impose the treaty on the nation by force, the subscribers were determined that they and their companions would not become tributaries and bond slaves to their neighbours, without acquitting themselves as became men and Christians. After pub-

lishing this threatening manifesto the assembly dispersed.

This conduct of the Cameronians led to a formidable conspiracy. One Cunningham of Eckatt, a leading man of that sect at the time of the Revolution, afterwards a settler at Darien, offered his services to the heads of the opposition party, to lead to Edinburgh such an army of Cameronians as should disperse the Parliament, and break off the treaty of Union. He was rewarded with money and promises, and encouraged to collect the sense of the country on the subject of his proposal.

This agent found the west country ripe for revolt, and ready to join with any others who might take arms against the Government on the footing of resistance to the treaty of Union. Cunningham required that a body of the Athole Highlanders should secure the town of Stirling, in order to keep the communication open between the Jacobite chiefs and the army of western insurgents, whom he himself was in the first instance to command. And had this design taken effect, the party which had suffered so much during the late reigns of the Stewarts, and the mountaineers, who had been found such ready agents in oppressing them, would have been seen united in a common cause, so strongly did the universal hatred to the Union overpower all other party feelings at this time.

A day was named for the proposed insurrection in the west, on which Cunningham affirmed he would be able to assemble at Hamilton, which was

assigned as the place of rendezvous, seven or eight thousand men, all having guns and swords, several hundred with muskets and bayonets, and about a thousand on horseback; with which army he proposed to march instantly to Edinburgh, and disperse the Parliament. The Highlanders were to rise at the same time; and there can be little doubt that the country in general would have taken arms. Their first efforts would probably have been successful, but the final event must have been a bloody renewal of the wars between England and Scotland.

The Scottish Government were aware of the danger, and employed among the Cameronians two or three agents of their own, particularly one Ker of Kersland, who possessed some hereditary influence among them. The persons so employed did not venture to cross the humour of the people, or argue in favour of the Union; but they endeavoured in various ways to turn the suspicion of the Cameronians upon the Jacobite nobility and gentry, to awaken hostile recollections of the persecutions they had undergone, in which the Highlanders had been willing actors, and to start other causes of jealousy amongst people who were more influenced by the humour of the moment than any reasoning which could be addressed to them.

Notwithstanding the underhand practices of Kersland, and although Cunningham himself is said to have been gained over by the Government, the scheme of rising went forward, and the day of rendezvous was appointed; when the Duke of Hamil-

ton, either reluctant to awaken the flames of civil war, or doubting the strength of Eckatt's party, and its leader's fidelity, sent messengers into the west country to countermand and postpone the intended insurrection; in which he so far succeeded, that only four hundred men appeared at the rendezvous, instead of twice as many thousands; and these, finding their purpose frustrated, dispersed peaceably.[1]

Another danger which threatened the Government passed as easily over. An address against the Union had been proposed at Glasgow, where, as in every place of importance in Scotland, the treaty was highly unpopular. The magistrates, acting under the directions of the Lord Advocate, endeavoured to obstruct the proposed petition, or at least to resist its being expressed in the name of the city. At this feverish time there was a national fast appointed to be held, and a popular preacher[2] made choice of a text from Ezra, ch. viii. v. 21, "Then I proclaimed a fast there, at the river of Ahava, that we might afflict ourselves before our God, to seek of him a right way for us and for our little ones, and for all our substance." Addressing

[1] [Lockhart of Carnwath, a stanch Jacobite, and a strenuous opponent of the Union, says, "this I may assert, that had not the Duke of Hamilton taken this course, the Parliament had at once been sent a packing, and the projected Union demolished; in which case all those that had appeared most forward for it would have fled, having horses laid and always ready to carry them off from the danger they had occasion to dread and justly deserved."—LOCKHART *Papers*, vol. i. p. 201.].

[2] [The Rev. James Clark, Minister of the Tron Kirk, Glasgow.]

himself to the people, who were already sufficiently irritated, the preacher told them that prayers would not do, addresses would not do—prayer was indeed a duty, but it must be seconded by exertions of a very different nature; "wherefore," he concluded, "up, and be valiant for the city of our God."

The populace of the city, taking this as a direct encouragement to insurrection, assembled in a state of uproar, attacked and dispersed the guards, plundered the houses of the citizens, and seized what arms they could find; in short, took possession of the town, and had every body's life and goods at their mercy.[1] No person of any consequence ap-

[1] ["In this rage they went directly to the Provost's house, got into it, took away all his arms, which were about twenty-five muskets, &c.; from thence they went to the Laird of Blackhouses' dwelling, broke his windows, and showed their teeth."—"The Provost would have made to his own house, but the multitude increasing and growing furious, he took sanctuary in a house, and running up a stair-case lost the rabble for some time, they pursuing him into a wrong house: however they searched every apartment to the top of the stair, and came into the very room where he was; but the same hand that smote the men of Sodom with blindness when they would have rabbled the angels, protected him from this many-headed monster, and so blinded them that they could not find him. He was hid in a bed which folded up against the wall, and which they never thought of taking down. It is the opinion of many of the soberest and most judicious of the citizens, that if they had found him, their fury was at that time so past all government, that they would have murdered him, and that in a manner barbarous enough; and if they had, as we say of a bull dog, once but tasted blood, who knows where they would have ended!"—"Provost Aird was an honest, sober, discreet gentleman, one that had always been exceedingly beloved, even by the common people, particularly for his care of, and charity to, the poor of Glasgow; and at another time, would have been the last man in the town they would have insulted."—DEFOE, pp. 270–272.]

peared at the head of these rioters; and after having put themselves under the command of a mechanic named Finlay, who had formerly been a sergeant, they sent small parties to the neighbouring towns to invite them to follow their example. In this they were unsuccessful; the proclamations of Parliament, and the adjournment of the rendezvous appointed by the Cameronians, having considerably checked the disposition to insurrection. In short, the Glasgow riot died away, and the insurgents prevented bloodshed by dispersing quietly; Finlay and another of their leaders were seized by a party of dragoons from Edinhurgh, conveyed to that city, and lodged in the castle. And thus was extinguished a hasty fire, which might otherwise have occasioned a great conflagration.

To prevent the repetition of such dangerous examples as the rendezvous at Hamilton and the tumults at Glasgow, the Parliament came to the resolution of suspending that clause of the Act of Security which appointed general military musters throughout Scotland; and enacted instead, that in consideration of the tumults which had taken place, all assembling in arms, without the Queen's special order, should be punished as an act of high treason. This being made public by proclamation, put a stop to future attempts at rising.

The project of breaking off the treaty by violence being now wholly at an end, those who opposed the measure determined upon a more safe and moderate attempt to frustrate it. It was resolved, that as many of the nobility, barons, and gentry of the realm as were hostile to the Union, should

assemble in Edinburgh, and join in a peaceful, but firm and personal remonstrance to the Lord Commissioner, praying that the obnoxious measure might be postponed until the subscribers should receive an answer to a national address which they designed to present to the Queen at this interesting crisis. It was supposed that the intended application to the Commissioner would be so strongly supported, that either the Scottish Government would not venture to favour a Union in the face of such general opposition, or that the English ministers themselves might take the alarm, and become doubtful of the efficacy or durability of a treaty, to which the bulk of Scotland seemed so totally averse. About four hundred nobles and gentlemen of the first distinction assembled in Edinburgh, for the purpose of attending the Commissioner with the proposed remonstrance; and an address was drawn up, praying her Majesty to withdraw her countenance from the treaty, and to call a new Parliament.

When the day was appointed for executing the intended plan, it was interrupted by the Duke of Hamilton, who would on no terms agree to proceed with it, unless a clause was inserted in the address expressive of the willingness of the subscribers to settle the succession on the House of Hanover. This proposal was totally at variance with the sentiments of the Jacobite part of those who supported the address, and occasioned great and animated discussions among them, and considerable delay. In the mean while, the Commissioner, observing

the city unusually crowded with persons of condition, and obtaining information of the purpose for which so many gentlemen had repaired to the capital, made an application to Parliament, setting forth that a convocation had been held in Edinburgh of various persons, under pretence of requiring personal answers to their addresses to Parliament, which was likely to endanger the public peace; and obtained a proclamation against any meetings under such pretexts during the sitting of Parliament, which he represented as both inexpedient and contrary to law.

While the Lord Commissioner was thus strengthening his party, the Anti-Unionists were at discord among themselves. The Dukes of Hamilton and Athole quarrelled on account of the interruption given by the former to the original plan of remonstrance; and the country gentlemen who had attended on their summons, returned home mortified, disappointed, and, as many of them thought, deceived by their leaders.

Time was mean while flying fast, and Parliament, in discussing the separate articles of the Union, had reached the twenty-second, being that designed to fix the amount of the representation which Scotland was to possess in the British Parliament, and, on account of the inadequacy of such representation, the most obnoxious of the whole.

The Duke of Hamilton, who still was, or affected to be, firmly opposed to the treaty, now assembled the leaders of the opposition, and entreated them to forget all former errors and mismanagement, and

to concur in one common effort for the independence of Scotland. He then proposed that the Marquis of Annandale should open their proceedings, by renewing a motion formerly made for the succession of the crown in the House of Hanover, which was sure to be rejected if coupled with any measure interrupting the treaty of Union. Upon this the Duke proposed, that all the opposers of the Union, after joining in a very strong protest, should publicly secede from the Parliament; in which case it was likely, either that the Government party would hesitate to proceed farther in a matter which was to effect such total changes in the constitution of Scotland, or that the English might become of opinion that they could not safely carry on a national treaty of such consequence with a mere faction, or party of the Parliament, when deserted by so many persons of weight and influence.

The Jacobites objected to this course of proceeding, on account of the preliminary motion, which implied a disposition to call the House of Hanover to the succession, provided the Union were departed from by the Government. The Duke of Hamilton replied, that as the proposal was certain to be rejected, it would draw with it no obligation on those by whom it was made. He said, that such an offer would destroy the argument for forcing on the Union, which had so much weight in England, where it was believed that if the treaty did not take place, the kingdoms of England and Scotland would pass to different monarchs. He then declared frankly, that if the English should not discontinue

pressing forward the Union after the formal protestation and secession which he proposed, he would join with the Jacobites for calling in the son of James II., and was willing to venture as far as any one for that measure.

It is difficult to suppose that the Duke of Hamilton was not serious in this proposal; and there seems to be little doubt that if the whole body opposing the Union had withdrawn in the manner proposed, the Commissioner would have given up the treaty, and prorogued the Parliament. But the Duke lost courage, on its being intimated to him, as the story goes, by the Lord High Commissioner, in a private interview, that his Grace would be held personally responsible, if the treaty of Union was interrupted by adoption of the advice which he had given, and that he should be made to suffer for it in his English property. Such at least is the general report;[1] and such an interview could be

[1] ["His son, Charles Hamilton, gives a different account, saying, 'At this juncture the Duke received a letter from the Earl of Middleton, Secretary of State to the Pretender, wherein, after acquainting him with the recent engagements he had entered into with the Queen's ministers, in order to procure a peace to Louis XIV., to whom he was so much indebted, he beseeched his Grace, in the behalf of his master, to forbear giving any further opposition to the Union, as he had extremely at heart to give his sister this proof of his ready compliance with her wishes, not doubting but he would one day have it in his power to restore Scotland to its ancient weight and independence. The letter concluded with recommending the business to be kept a profound secret.' The Duke, alluding to that letter of Middleton's, wrote to his son at St Germains, 7th March, 1707, 'Tell Lord Middleton not to be uneasy about his letter, I have been too sick to answer it; but I burnt it with other papers for fear of accidents;

managed without difficulty, as both these distinguished persons were lodged in the Palace of Holyrood.

Whether acting from natural instability, whether intimidated by the threats of Queensberry, or dreading to encounter the difficulties when at hand, which he had despised when at a distance, it is certain that Hamilton was the first to abandon the course which he had himself recommended. On the morning appointed for the execution of their plan, when the members of opposition had mustered all their forces, and were about to go to Parliament, attended by great numbers of gentlemen and citizens, prepared to assist them if there should be an attempt to arrest any of their number, they learned that the Duke of Hamilton was so much afflicted with the toothach, that he could not attend the House that morning. His friends hastened to his chambers, and remonstrated with him so bitterly on this conduct,[1] that he at length came down to the House; but it was only to astonish them by asking whom they had pitched upon to present their protestation. They answered, with extreme surprise, that they had reckoned on his Grace, as

so that his secret would have gone to the grave with me. He has been duped, as I expected; he might have known the men with whom he was dealing.'"—WOOD'S *Peerage*, vol. i. pp. 716–17.]

[1] ['' Telling him this double dealing and wavering would convince the world that what was said concerning his grandfather in the reign of King Charles the First was true, and that he played the second part of the same tune."—LOCKHART'S *Papers*, vol. i. p. 213.]

the person of the first rank in Scotland, taking the lead in the measure which he had himself proposed. The Duke persisted, however, in refusing to expose himself to the displeasure of the court by being foremost in defeating their favourite measure, but offered to second any one whom the party might appoint to offer the protest. During this altercation the business of the day was so far advanced, that the vote was put and carried on the disputed article respecting the representation, and the opportunity of carrying the scheme into effect was totally lost.

The members who had hitherto opposed the Union, being thus three times disappointed in their measures by the unexpected conduct of the Duke of Hamilton, now felt themselves deserted and betrayed. Shortly afterwards, most of them retired altogether from their attendance on Parliament; and those who favoured the treaty were suffered to proceed in their own way, little encumbered either by remonstrance or opposition.

Almost the only remarkable change in the articles of the Union, besides that relating to Church government, was made to quiet the minds of the common people, disturbed, as I have already mentioned, by rumours that the Scottish regalia were to be sent into England. A special article was inserted into the treaty, declaring that they should on no occasion be removed from Scotland. At the same time, lest the sight of these symbols of national sovereignty should irritate the jealous feelings of the Scottish people, they were removed

from the public view, and secured in a strong chamber, called the Crown-room, in the Castle of Edinburgh, where they remained so long in obscurity, that their very existence was generally doubted. But his present Majesty [K. George IV.] having directed that a commission should be issued to search after these venerable relics, they were found in safety in the place where they had been deposited, and are now made visible to the public under proper precautions.[1]

It had been expected that the treaty of Union would have met with delays or alterations in the English Parliament. But it was approved of there, after very little debate by a large majority; and the exemplification or copy was sent down to be registered by the Scottish Parliament. This was done on the 25th March; and on the 22d April, the Parliament of Scotland adjourned for ever. Seafield, the Chancellor, on an occasion which every Scotsman ought to have considered as a melancholy one, behaved himself with a brutal levity, which in more patriotic times would have cost him his life on the spot, and said that "there was an end of an auld sang."

On the 1st of May, 1707, the Union took place, amid the dejection and despair which attend on the downfall of an ancient state, and under a sullen expression of discontent, that was far from promising the course of prosperity which the treaty finally produced.

[1] [See *ante*, vol. vii., pp. 338–348.]

And here I must point out to you at some length, that, though there never could be a doubt that the Union in itself was a most desirable event, yet by the erroneous mode in which it was pushed on and opposed by all parties concerned, such obstacles were thrown in the way of the benefits it was calculated to produce, as to interpose a longer interval of years betwixt the date of the treaty and the national advantages arising out of it, than the term spent by the Jews in the wilderness ere they attained the promised land. In both cases the frowardness and passions of men rejected the blessings which Providence held out to them.

To understand this, you must know, that while the various plans for interrupting the treaty were agitated without doors, the debates in Parliament were of the most violent kind. "It resembled," said an eyewitness, "not the strife of tongues, but the clash of arms; and the hatred, rage, and reproach which we exhausted on each other, seemed to be those of civil war rather than of political discussion." Much talent was displayed on both sides. The promoters of the Union founded their arguments not merely on the advantage, but the absolute necessity, of associating the independence of the two nations for their mutual honour and defence; arguing, that otherwise they must renew the scenes of past ages, rendered dreadful by the recollection of three hundred and fourteen battles fought between two kindred nations, and more than a million of men slain on both sides. The imaginary sacrifice of independent sovereignty,

was represented as being in reality an escape from the petty tyranny of their own provincial aristocracy, and a most desirable opportunity of having the ill-defined, and worse administered, government of Scotland, blended with that of a nation, the most jealous of her rights and liberties which the world ever saw.

While the Unionists pointed out the general utility of the amalgamation of the two nations into one, the opposition dwelt on the immediate disgrace and degradation which the measure must instantly and certainly impose on Scotland, and the distant and doubtful nature of the advantages which she was to derive from it.

Lord Belhaven, in a celebrated speech, which made the strongest impression on the audience, declared that he saw, in prophetic vision, the peers of Scotland, whose ancestors had raised tribute in England, now walking in the Court of Requests like so many English attorneys, laying aside their swords lest self-defence should be called murder —he saw the Scottish barons with their lips padlocked, to avoid the penalties of unknown laws— he saw the Scottish lawyers struck mute and confounded at being subjected to the intricacies and technical jargon of an unknown jurisprudence— he saw the merchants excluded from trade by the English monopolies—the artizans ruined for want of custom—the gentry reduced to indigence—the lower ranks to starvation and beggary. "But above all, my lord," continued the orator, "I think I see our ancient mother Caledonia, like Cæsar,

sitting in the midst of our senate, ruefully looking round her, covering herself with her royal mantle, awaiting the fatal blow, and breathing out her last with the exclamation, 'And thou too, my son!'"

These prophetic sounds made the deepest impression on the House, until the effect was in some degree dispelled by Lord Marchmount, who, rising to reply, said, he too had been much struck by the noble lord's vision, but that he conceived the exposition of it might be given in a few words. "I awoke, and behold it was a dream." But though Lord Belhaven's prophetic harangue might be termed in one sense a vision, it was one which continued to exist for many years; nor was it until half a century had passed away, that the Union began to produce those advantages to Scotland which its promoters had fondly hoped, and the fruits of which the present generation has so fully reaped. We must seek in the temper of the various parties interested in carrying on and concluding this great treaty, the reasons which for so many years prevented the incalculable benefits which it was expected to bestow, and which have been since realized.

The first, and perhaps most fatal error, arose out of the conduct and feelings of the English, who were generally incensed at the conduct of the Scots respecting the Act of Security, and in the precipitate execution of Green and his companions, whom their countrymen, with some reason, regarded as men murdered on a vague accusation, merely because they were Englishmen. This, indeed, was

partly true; but though the Scots acted cruelly, it should have been considered that they had received much provocation, and were in fact only revenging, though rashly and unjustly, the injuries of Darien and Glencoe. But the times were unfavourable to a temperate view of the subject in either country. The cry was general throughout England, that Scotland should be conquered by force of arms, and secured by garrisons and forts, as in the days of Cromwell. Or, if she was to be admitted to a Union, there was a general desire on the part of the English to compel her to receive terms as indifferent as could be forced upon an inferior and humbled people.

These were not the sentiments of a profound statesman, and could not be those of Godolphin. He must have known that the mere fact of accomplishing a treaty could no more produce the cordial and intimate state of unity which was the point he aimed at, than the putting a pair of quarrelsome hounds into the same couples could reconcile the animals to each other. It may, therefore, be supposed, that, left to himself, so great a politician would have tried, by the most gentle means, to reconcile Scotland to the projected measure; that he would have been studious to efface every thing that appeared humiliating in the surrender of national independence; would have laboured to smooth those difficulties which prevented the Scots from engaging in the English trade; and have allowed her a more adequate representation in the

national Parliament, which, if arranged according to her proportion of public expenses, would only have made the inconsiderable addition of fifteen members to the House of Commons. In fine, the English minister would probably have endeavoured to arrange the treaty on such terms of advantage for the poorer country, as should, upon its being adopted, immediately prove to the Scots, by its effects, that it was a measure they ought for their own sakes to have desired and concurred in. In this manner, the work of many years would have been, to a certain degree, anticipated, and the two nations would have felt themselves united in interest and in affection also, soon after they had become nominally one people. Whatever England might have sacrificed in this way, would have been gained by Great Britain, of which England must necessarily be the predominant part, and as such must always receive the greatest share of benefit by whatever promotes the good of the whole.

But though Godolphin's wisdom might have carried him to such conclusions, the passions and prejudices of the English nation would not have permitted him to act upon them. They saw, or thought they saw, a mode of bringing under subjection, a nation which had been an old enemy and a troublesome friend, and they, very impolitically, were more desirous to subdue Scotland than to reconcile her. In this point the English statesmen committed a gross error, though rendered perhaps inevitable, by the temper and prejudices of the nation.

The Scottish supporters of the Union might, on their part, have made a stand for better terms on behalf of their country. And it can scarcely be supposed that the English would have broken off a treaty of such importance, either for the addition of a few members, or for such advantages of commerce as Scotland might reasonably have demanded. But these Scottish commissioners, or a large part of them, had, unhappily, negotiated so well for themselves, that they had lost all right of interfering on the part of their country. We have already explained the nature of the equivalent, by which a sum of four hundred thousand pounds, or thereabouts, advanced at this time by England, but to be repaid out of the Scottish revenue within fifteen years, was to be distributed in the country, partly to repay the losses sustained by the Darien Company, partly to pay arrears of public salaries in Scotland, most of which were due to members of the Scottish Parliament; and finally, to satisfy such claims of damage arising out of the Union, as might be brought forward by any one whose support was worth having.

The distribution of this money constituted the charm by which refractory Scottish members were reconciled to the Union. I have already mentioned the sum of thirty thousand pounds, which was peculiarly apportioned to the commissioners who originally laid the basis of the treaty. I may add there was another sum of twenty thousand pounds, employed to secure to the measures of the court the party called the Squadrône Volánte. The ac-

count of the mode in which this last sum was distributed has been published; and it may be doubted whether the descendants of the noble lords and honourable gentlemen who accepted this gratification, would be more shocked at the general fact of their ancestors being corrupted, or scandalized at the paltry amount of the bribe.[1] One noble lord accepted of so low a sum as eleven guineas; and the bargain was the more hard, as he threw his religion into the bargain, and from Catholic turned Protestant, to make his vote a good one.[2]

Other disgraceful gratuities might be mentioned, and there were many more which cannot be traced. The treasure for making good the equivalent was sent down in waggons from England, to be depo-

[1] [The names and sums are thus stated by the Earl of Glasgow, on oath, to the Commissioners of Accounts:—To the DUKES, of Montrose, L.200, Athole, L.1000, Roxburghe, L.500, Marquis of Tweeddale, L.1000; EARLS, of Marchmont, L.1104, 15s. 7d., Cromarty, L.300, Balcarras, L.500, Dunmore, L.200, Eglinton, L.200, Forfar, L.100, Glencairn, L.100, Kintore, L.200, Findlater, L.100, Seafield (Lord Chancellor), L.490; the LORDS, Prestonhall, L.200, Ormiston, L.200, Anstruther, L.300, Fraser, L.100, Cesnock (now Polwarth), L.50, Forbes, L.50, Elibank, L.50, Banff, L.11, 2s.; Sir Kenneth Mackenzie, L.100, Sir William Sharp, L.300; Mr Stuart of Castle Stuart, L.300, Mr John Campbell, L.200, Mr John Muir provost of Ayr, L.100, Major Cunningham, of Eckatt, L.100 the messenger that brought down the treaty of Union, L.60 Patrick Coultrain, provost of Wigton, L.25, Mr Alexander Wedderburn, L.75, and to the commissioner, for equipage and daily allowance, L.12,325. Total, L.20,540, 17s. 7d.—LOCKHART *Papers*, vol. i. pp. 267, 268.]

[2] [The Lord Banff. See letter from Mr William Hunter, minister of Banff, and Principal Carstairs.—*State Papers*, pp. 736, 737.]

sited in the castle of Edinburgh; and never surely was so valuable an importation received with such marks of popular indignation. The dragoons who guarded the wains were loaded with execrations, and the carters, nay, even their poor horses, were nearly pelted to death, for being accessary in bringing to Edinburgh the price of the independence of the kingdom.

The public indignation was the more just, that this large sum of money in fact belonged to the Scottish nation, being the compensation to be paid to them, for undertaking to pledge their revenue for a part of the English national debt. So that, in fact, the Parliament of Scotland was bribed with the public money belonging to their own country. In this way, Scotland herself was made to pay the price given to her legislators for the sacrifice of her independence.

The statesmen who accepted of these gratuities, under whatever name disguised, were marked by the hatred of the country, and did not escape reproach even in the bosom of their own families.[1] The advantage of their public services was lost by the general contempt which they had personally incurred. And here I may mention, that while carrying on the intrigues which preceded the passing of the Union, those who favoured that measure

[1] The Chancellor, Lord Seafield, objected to his brother, Colonel Patrick Ogilvie, that he derogated from his rank, by trafficking in cattle to some extent. "Take your own tale hame, my lord and brother," answered the colonel, in his Angus-shire dialect. "I only sell *nowt* (nolt), but you sell nations."

were obliged to hold their meetings in secret and remote places of rendezvous, lest they should have been assaulted by the rabble. There is a subterranean apartment in the High Street (No. 177), called the Union-Cellar,[1] from its being one of their haunts; and the pavilion in the gardens belonging to the Earl of Murray's Hotel in the Canongate (No. 172), is distinguished by tradition, as having been used for this purpose.

Men, of whom a majority had thus been bought and sold, forfeited every right to interfere in the terms which England insisted upon; and Scotland, therefore, lost that support, which, had these statesmen been as upright and respectable as some of them were able and intelligent, could not have failed to be efficacious. But, despised by the English, and detested by their own country, fettered, as Lord Belhaven expressed it, by the golden chain of equivalents, the Unionists had lost all freedom of remonstrance, and had no alternative left, save that of fulfilling the unworthy bargain they had made.

The Opposition party also had their share of error on this occasion. If they had employed a part of that zeal with which they vindicated the shadowy rights of Scotland's independence (which after all, resolved itself into the title of being governed like a province, by a viceroy, and by English influence, not the less predominant that it was indirect), in order to obtain some improvement in

[1] [This is on the north side of the High Street, opposite Hunter's Square; and now (1836) occupied as a tavern and coach-office.]

the more unfavourable clauses of the treaty; if, in other words, they had tried to make a more advantageous agreement when the Union was under discussion, instead of attempting to break it off entirely, they might perhaps have gained considerable advantages for Scotland. But the greater part of the anti-Unionists were also Jacobites; and therefore, far from desiring to render the treaty more unexceptionable, it was their object that it should be as odious to the people of Scotland as possible, in order that the universal discontent excited by it might turn to the advantage of the exiled family.

Owing to all these adverse circumstances, the interests of Scotland were considerably neglected in the treaty of Union; and in consequence the nation, instead of regarding it as an identification of the interests of both kingdoms, considered it as a total surrender of their independence, by their false and corrupted statesmen, into the hand of their proud and powerful rival. The gentry of Scotland looked on themselves as robbed of their natural consequence, and disgraced in the eyes of the country; the merchants and tradesmen lost the direct commerce between Scotland and foreign countries, without being, for a length of time, able to procure a share in a more profitable trade with the English colonies, although ostensibly laid open to them. The populace in the towns, and the peasants throughout the kingdom, conceived the most implacable dislike to the treaty; factions, hitherto most bitterly opposed to each other, seemed ready to rise on the first opportunity which might occur

for breaking it; and the cause of the Stewart family gained a host of new adherents, more from dislike to the Union than any partiality to the exiled prince.

A long train of dangers and difficulties was the consequence, which tore Scotland to pieces with civil discord, and exposed England also to much suffering. Three rebellions, two of which assumed a very alarming character, may, in a great measure, be set down to the unpopularity of this great national act; and the words, "Prosperity to Scotland, and no Union," is the favourite inscription to be found on Scottish sword-blades, betwixt 1707 and 1746.

But although the passions and prejudices of mankind could for a time delay and interrupt the advantages to be derived from this most important national measure, it was not the gracious will of Providence that, being thus deferred, they should be ultimately lost.

The unfortunate insurrection of 1745–6 entirely destroyed the hopes of the Scottish Jacobites, and occasioned the abolition of the hereditary jurisdictions and military tenures, which had been at once dangerous to the Government, and a great source of oppression to the subject. This, though attended with much individual suffering, was the final means of at once removing the badges of feudal tyranny, extinguishing civil war, and assimilating Scotland to the sister-country. After this period, the advantages of the Union were gradually perceived and fully experienced.

It was not, however, till the accession of his late Majesty,[1] that the beneficial effects of this great national treaty were generally felt and recognised. From that period there was awakened a spirit of industry formerly unknown in Scotland; and ever since, the two kingdoms of England and Scotland, incalculably to their mutual benefit, have been gradually forgetting former subjects of discord, and uniting cordially, as one people, in the improvement and defence of the island which they inhabit.

This happy change from discord to friendship,—from war to peace, and from poverty and distress to national prosperity, was not attained without much peril and hazard; and should I continue these volumes, from the period of the Union to that of the Accession of George the Third, I can promise you, the addition will be neither the least interesting nor the least useful, of your Grandfather's labours in your behalf.

[1] [K. George III., 1760.]

TALES OF A GRANDFATHER.

Third Series.

1707—1760.

PREFATORY LETTER.

TO HUGH LITTLEJOHN, ESQ.

My dear Child,

I have now finished the task I had imposed on myself, of giving you an opportunity of acquiring a knowledge of the past events of Scottish History; and a bloody and tragic tale it has been. The generation of which I am an individual, and which, having now seen the second race of their successors, must soon prepare to leave the scene, have been the first Scotsmen who appear likely to quit the stage of life, without witnessing either foreign or domestic war within their country. Our fathers beheld the civil convulsion of 1745–6,—the race who preceded them saw the commotions of 1715, 1718, and the war of the Revolution in 1688–9. A third and earlier generation

witnessed the two insurrections of Pentland Hills and Bothwell Bridge, and a fourth lived in the bloody times of the great Civil War; a fifth had in memory the civil contests of James the Sixth's minority; and a sixth race carries us back to the long period when the blessings of peace were totally unknown, and the state of constant hostility between England and Scotland, was only interrupted by insecure and ill-kept truces of a very few years' endurance.

And even in your Grandfather's own time, though this country was fortunate enough to escape becoming the theatre of bloody conflict, yet we had only to look abroad to witness such extensive scenes of war and slaughter, such subversion of established states, and extinction of ancient dynasties, as if the European world was again about to return to the bondage of an universal empire. We have, therefore, had an unexpected, and almost unhoped-for escape from the evils of war in our own country, at the expense of beholding from our island the general devastation of the Continent, with the frequent alarm that we ourselves were about to be involved in it.

It is with sincere joy that I see a period arrived, in which the rising generation may for

a time at least be less likely either to hear of, or to witness, the terrors of actual war. Even in the history of this small and barren country of Scotland, men may read enough of its miseries, to make them regret how often they have been occasioned by the explosions of party spirit. I have avoided, particularly in this small publication, every attempt to prejudice your mind in favour of any of those speculative opinions, which have been frequently the cause of unsheathing the sword of civil discord. Some years hence, you will, I hope, study with accuracy the history of Scotland, with a view to form your own opinion which of the contending parties were right or wrong; and I hope you will then possess enough of judgment to perceive, that in political disputes, which, above all others, interest the passions, you are not to expect that either the one party or the other are to be regarded as infallible; and that you will remember that each particular action is to be judged of by its own circumstances, and the motives of the actors,—not approved or condemned in the gross, because it is a measure of any particular faction. The present is not intended to be a controversial work. Indeed, if disputed points should be stated here as subjects

of discussion, there is no space to argue them; and all that could be brought forward would be the assertion of the author's own opinion, for which he is not entitled to claim any particular deference from other readers, and certainly is not disposed to require it from you, or to desire that you should take upon his authority what should be the subject of your own investigation.

Like most men of some experience in life, I entertain undoubtedly my own opinions upon the great political questions of the present and of future times; but I have no desire to impress these on my juvenile readers. What I have presumed to offer is a general, and, it is hoped, not an uninteresting selection of facts, which may at a future time form a secure foundation for political sentiments.

I am more anxious that the purpose of this work should be understood, because a friendly and indulgent critic,* whose general judgment has been but too partially pronounced in favour of the author, has in one point misunderstood my intentions. My friendly Aristarchus, for such I must call him, has paid me the great compliment (which I may boast of having to

* Westminster Review for April, 1829.

my utmost ability deserved), that my little work contains no fault of commission; that is to say, he admits that I have not either concealed or falsified the truth of history in controverted points, which, in my opinion, would have been, especially in a work designed for the use of youth, a most unpardonable crime. But he charges me with the offence of omission, in leaving out inferences which he himself would have drawn from the same facts, and which he seems to think are too obvious not to be discerned, and too stubborn to be refuted. It is, on the contrary, my opinion, and has been ever since I came to years of understanding, that in many of these points his conclusions are liable to direct challenge, and in others to much modification. I must not, therefore, leave it to be supposed that I have deserted my banners, because I have not at this time and place thought it necessary to unfurl them.

But I could not introduce political discussions into any elementary work designed to inspire a love of study. In more mature years, the juvenile reader will have an opportunity of forming his own judgment upon the points of controversy which have disturbed our history; and I think he will probably find

that the spirit of party faction, far from making demi-gods of the one side, and fiends or fools of the other, is itself the blot and stain of our annals—has produced under one shape or other its most tragic events—has blighted the characters of its best and wisest statesmen, and perhaps reserves for Britain at a future day, a repetition of the evils with which it has already afflicted our fathers.

That you, my dear child, and your contemporaries, may escape so great an infliction, is the sincere hope and prayer

Of your affectionate

GRANDFATHER.*

ABBOTSFORD,
1*st December*, 1829.

* [John Hugh Lockhart, to whom these Tales were addressed, died before his Grandfather, on the 15th December, 1831, in the eleventh year of his age.]

TALES OF A GRANDFATHER.

Third Series.

CHAPTER LXI.

Mutual dislike between the Scots and English—Divided Feeling in England in regard to the Union — Universal Discontent with the Union in Scotland—Disposition among all Parties to restore the Stewart Family—Education and Character of the Chevalier de St George — Promise of Louis XIV. to support the claims of the Family of James II.—Intrigues of the Jacobite Emissaries perplexing to the French King, who resolves to ascertain the temper of the Country by an Agent of his own.

We are now, my dear child, approaching a period more resembling our own than those through which I have hitherto conducted you. In England, and in the Lowlands of Scotland, men used the same language, possessed in a considerable degree the same habits of society, and lived under the same forms of government, which have existed in Britain down to the present day. The Highlanders, indeed, retained their ancient manners; and although, from the establishment of forts and garrisons in their country, the laws had much more power over them than formerly, so that they could no longer break out into the same excesses, they still remained, in

their dress, customs, manners, and language, much more like the original Scots in the reign of Malcolm Canmore, than the Lowlanders of the same period resembled their ancestors of the seventeenth century.

But though the English and Lowland Scots exhibited little distinction in their manners and habits, excepting that those of the latter people indicated less wealth or refinement of luxury, there was no sympathy of feeling between them, and the recent measure of the Union had only an effect resembling that of putting two quarrelsome dogs into the same couples, or two sullen horses into the same yoke. Habit may in course of time teach them to accommodate themselves to each other; but the first consequence of the compulsory tie which unites them is the feeling of aggravated hostility.

The predominant prejudices of the English represented the Scots, in the language of the celebrated Dean Swift,[1] as a poor, ferocious, and haughty people, detesting their English neighbours, and looking upon them as a species of Egyptians, whom it was not only lawful but commendable to plunder,

[1] [See *post*. "The Public Spirit of the Whigs," chap. lxiii. —Swift, in his Remarks on Clarendon's History of the Rebellion, indulges in a train of invectives against the Scots, using such epithets as "Scottish scoundrels," "Hellish Scottish dogs," "Cursed Scots for ever," "Greedy Scotch rebellious dogs," "most diabolical Scots," "Scottish rebels and beggars;" and on which Sir Walter Scott remarks, "The ludicrous virulence of his execrations against the Scottish nation go a great way to remove the effect of his censure; and a native of Scotland may be justified in retaining them, were it but for that reason."—SWIFT'S *Works*, v. xii. p. 142.]

whether by open robbery or secret address. The poverty of the North Britons, and the humble and patient labour by which individuals were frequently observed to emerge from it, made them the objects of contempt to the English; while, on the other hand, the irascible and turbulent spirit of the nation, and a habitual use of arms, exposed them to aversion and hatred. This peculiar characteristic was, at the time of the Union, very general in Scotland. The Highlanders, you must remember, always carried weapons, and if thought of at all by their southern neighbours, they must have been considered as absolute and irreclaimable savages. The Lowlanders were also used to arms at this period, for almost the whole Scottish nation had been trained under the Act of Security; the population was distributed into regiments, and kept ready for action; and in the gloomy and irritated state of mind in which the Scots had been placed by the management of the Union treaty, they spoke of nothing more loudly and willingly than of war with England. The English had their especial reasons for disliking the Union. They did not, in general, feel flattered by the intimate confederacy and identification of their own rich country and civilized inhabitants with the boreal region of the North, and its rude and savage tribes. They were afraid that the craft, and patient endurance of labour of the Scots, would give them more than their share of the colonial trade which they had hitherto monopolized to themselves.

Yet, though such was the opinion held by the English in general, the more enlightened part of the nation, remembering the bloody wars which had so long desolated Britain in its divided state, dated from the Union an era of peace and happiness to both countries; and, looking far into futurity, foresaw a time when the national prejudices, which for the present ran so high, would die out or be eradicated like the weeds which deface the labours of the agriculturist, and give place to plenty and to peace. It was owing to the prevalence of such feelings, that the Duke of Queensberry, the principal negotiator of the treaty of Union, when he left Scotland for London after the measure was perfected, was received with the greatest distinction in the English towns through which he passed. And when he approached the neighbourhood of London, many of the members of the two Houses came to meet and congratulate a statesman, who, but for the guards that surrounded him, would, during the progress of the treaty, have been destroyed by his countrymen in the streets of Edinburgh!

In England, therefore, the Union had its friends and partisans. In Scotland it was regarded with an almost universal feeling of discontent and dishonour.[1] The Jacobite party, who had entertained

[1] ["A public thanksgiving was proclaimed through England; and a solemn procession was made by the Queen to St Paul's Church, on the 1st of May, when the Union commenced. Addresses from all parts of England were presented to the Queen, on the success of an Union which her predecessors, for a century past, had attempted in vain; and the public joy seemed to receive

great hopes of eluding the act for settling the kingdom upon the family of Hanover, beheld them entirely blighted; the Whigs, or Presbyterians, found themselves forming part of a nation in which Prelacy was an institution of the state; the Country Party, who had nourished a vain but honourable idea of maintaining the independence of Scotland, now saw it, with all its symbols of ancient sovereignty, sunk and merged under the government of England. All the different professions and classes of men saw each something in the obnoxious treaty, which affected their own interest.

The nobles of an ancient and proud land, which they were wont to manage at their pleasure, were now stripped of their legislative privilege, unless in as far as exercised, like the rights of a petty corporation, by a handful of delegates; the smaller barons and gentry shared their humiliation, their little band of representatives being too few, and their voices too feeble, to produce any weight in the British House of Commons, to which a small portion was admitted.

The clergy's apprehension for their own system of church discipline was sensitively awakened, and their frequent warnings from the pulpit kept the terror of innovation before their congregations.

The Scottish lawyers had equal reason for alarm. They witnessed what they considered as the degra-

no abatement, except from an apprehension, that it might appear immoderate or invidious to the Scots. But a sullen and inflexible silence was observed in Scotland, expressive of deep, undisguised discontent."—LAING, v. ii. p. 340.]

dation of their profession, and of the laws, to the exposition of which they had been bred up. They saw their supreme civil court, which had spurned at the idea of having their decrees reviewed even in the Parliament, now subjected to appeal to the British House of Peers; a body who could be expected to know little of law at all, and in which the Chancellor, who presided, was trained in the jurisprudence of another country. Besides, when the sceptre departed from Scotland, and the lawgiver no longer sate at her feet, it was likely that her municipal regulations should be gradually assimilated to those of England, and that her lawyers should by degrees be laid aside and rendered useless, by the introduction of the institutions of a foreign country which were strange to their studies.

The merchants and trading portion of Scotland also found grievances in the Union peculiar to themselves. The privileges which admitted the Scots into the colonial trade of England, only represented the apples of Tantalus, so long as local prejudices, want of stock, and all the difficulties incident to forcing capital into a new channel, or line of business, obstructed their benefiting by them. On the other hand, they lost all the advantage of their foreign trade whenever their traffic became obstructed by the imposition of English duties. They lost, at the same time, a beneficial, though illicit trade, with England itself, which took place in consequence of foreign commodities being so much cheaper in Scotland. Lastly, the establish-

ment of two Boards of Customs and Excise, with the introduction of a shoal of officers, all Englishmen, and, it was said, frequently men of indifferent and loose character,[1] was severely felt by the commercial part of a nation, whose poverty had hitherto kept them tolerably free from taxation.

The tradesmen and citizens were injured in the tenderest point, by the general emigration of families of rank and condition, who naturally went to reside in London, not only to attend their duties in Parliament, but to watch for those opportunities of receiving favours which are only to be obtained by being constantly near the source of preferment; not to mention numerous families of consequence, who went to the metropolis merely for fashion's sake. This general emigration naturally drained Scotland of the income of the non-residents, who expended their fortunes among strangers, to the prejudice of those of their country folk, who had formerly lived by supplying them with necessaries or luxuries.

The agricultural interest was equally affected by the scarcity of money, which the new laws, the

[1] ["These were, generally speaking, the very scum and canaglia of that country, which remembers me of a very good story. 'Some time thereafter, a Scots merchant travelling in England, and showing some apprehensions of being robbed, his landlady told him he was in no hazard, for all the highwaymen were gone; and upon his inquiring how that came about, Why, truly, replied she, they are all gone to your country to get places.'—These fellows treated the natives with all the contempt, and executed the new laws with all the rigour imaginable."—LOCKHART *Papers*, vol. i. pp. 223–4.]

money drawn by emigrants from their Scottish estates, to meet the unwonted expenses of London, the decay of external commerce, and of internal trade, all contributed to produce.

Besides these peculiar grievances which affected certain classes or professions, the Scots felt generally the degradation, as they conceived it, of their country being rendered the subservient ally of the state, of which, though infinitely more powerful, they had resisted the efforts for the space of two thousand years. The poorest and meanest, as well as the richest and most noble, felt that he shared the national honour; and the former was even more deeply interested in preserving it untarnished than the latter, because he had no dignity or consideration due to him personally or individually, beyond that which belonged to him as a native of Scotland.

There was, therefore, nothing save discontent and lamentation to be heard throughout Scotland, and men of every class vented their complaints against the Union the more loudly, because their sense of personal grievances might be concealed and yet indulged under popular declamations concerning the dishonour done to the country.

To all these subjects of complaint there lay obvious answers, grounded on the future benefits which the Union was calculated to produce, and the prospect of the advantages which have since arisen from it. But at the time immediately succeeding that treaty, these benefits were only the subject of distant and doubtful speculation, while

the immediate evils which we have detailed were present, tangible, and certain. There was a want of advocates for the Union, as well as of arguments having immediate and direct cogency. A considerable number of the regular clergy, indeed, who did not share the feverish apprehensions of prelatic innovation, which was a bugbear to the majority of their order, concluded it was the sounder policy to adhere to the Union with England, under the sovereignty of a Protestant prince, than to bring back, under King James VII., the evils in church and state which had occasioned the downfall of his father. But by such arguments, the ministers who used them only lowered themselves in the eyes of the people, who petulantly replied to their pastors, that none had been more loud than they against the Union, until they had got their own manses,[1] glebes, and stipends[2] assured to them; although, that being done, they were now contented to yield up the civil rights of the Scottish monarchy, and endanger the stability of the Scottish church. Their hearers abandoned the kirks, and refused to attend the religious ordinances of such clergymen as favoured the Union, and went in crowds to wait upon the doctrines of those who preached against the treaty with the same zeal with which they had formerly magnified the Covenant. Almost all the dissenting and Cameronian ministers were anti-unionists, and some of the more enthusiastic were so peculiarly vehement, that long after the contro-

[1] *Anglice*—Parsonages. [2] *Anglice*—Tithes.

versy had fallen asleep, I have heard my grandfather say (for your grandfather, Mr Hugh Littlejohn, had a grandfather in his time), that he had heard an old clergyman confess he could never bring his sermon, upon whatever subject, to a conclusion, without having what he called a *blaud*, that is a slap, at the Union.

If the mouths of the clergymen who advocated the treaty were stopped by reproaches of personal interest, with far more justice were those reproaches applied to the greater part of the civil statesmen, by whom the measure had been carried through and completed. The people of Scotland would not hear these gentlemen so much as speak upon the great incorporating alliance, for the accomplishment of which they had laboured so effectually. Be the event of the Union what it would, the objection was personal to many of those statesmen by whom it was carried through, that they had pressed the destruction of Scottish independence, which it necessarily involved, for private and selfish reasons, resolving into the gratification of their own ambition or avarice. They were twitted with the meanness of their conduct even in the Parliament of Britain. A tax upon linen cloth, the staple commodity of Scotland, having been proposed in the House of Commons, was resisted by Mr Baillie of Jerviswood, and other Scottish members, favourers of the Union, until Mr Harley, who had been Secretary of State during the treaty, stood up, and cut short the debate, by saying, " Have we not bought the Scots, and did we not acquire a right

to tax them? or for what other purpose did we give the equivalent?" Lockhart of Carnwath arose in reply, and said, he was glad to hear it plainly acknowledged that the Union had been a matter of bargain, and that Scotland had been bought and sold on that memorable occasion; but he was surprised to hear so great a manager in the traffic name the equivalents as the price, since the revenue of Scotland itself being burdened in relief of that sum, no price had been in fact paid, but what must ultimately be discharged by Scotland from her own funds.

The detestation of the treaty being for the present the ruling passion of the times, all other distinctions of party, and even of religious opinions in Scotland, were laid aside, and a singular coalition took place, in which Episcopalians, Presbyterians, Cavaliers, and many friends of the Revolution, drowned all former hostility in the predominant aversion to the Union. Even the Cameronians, who now formed a powerful body in the state, retained the same zeal against the Union when established, which had induced them to rise in arms against it while it was in progress.[1]

It was evident, that the treaty of Union could not be abolished without a counter-revolution; and for a time almost all the inhabitants of Scotland

[1] ["There was scarce one of a thousand that did not now declare for *the King*; nay, the Presbyterians and Cameronians were willing to pass over the objection of his being Papist; for, said they (according to their predestinating principles), God may convert him, or he may have Protestant children, but the Union can never be good."—LOCKHART *Papers*, vol. i. p. 224.]

were disposed to join unanimously in the Restoration, as it was called, of James the Second's son, to the throne of his fathers; and had his ally, the King of France, been hearty in his cause, or his Scottish partisans more united among themselves, or any leader amongst them possessed of distinguished talent, the Stewart family might have repossessed themselves of their ancient domain of Scotland, and perhaps of England also. To understand the circumstances by which that hope was disappointed, it is necessary to look back on the history of James II., and to take some notice of the character and situation of his son.

The Chevalier de Saint George, as he was called by a conventional name, which neither gave nor denied his royal pretensions, was that unfortunate child of James II., whose birth, which ought in ordinary cases to have been the support of his father's throne, became by perverse chance the strongest incentive for pressing forward the Revolution. He lost his hopes of a kingdom, therefore, and was exiled from his native country, ere he knew what the words country or kingdom signified, and lived at the court of Saint Germains, where Louis XIV. permitted his father to maintain a hollow pageant of royalty. Thus the son of James II. was brought up in what is generally admitted to be the very worst way in which a prince can be educated; that is, he was surrounded by all the pomp and external ceremony of imaginary royalty, without learning by experience any part of its real duties or actual business. Idle and

discontented men, who formed the mimicry of a council, and played the part of ministers, were as deeply engaged in political intrigues for ideal offices and dignities at the court of Saint Germains, as if actual rank or emolument had attended them, —as reduced gamblers have been known to spend days and nights in play, although too poor to stake any thing on the issue of the game.

It is no doubt true, that the versatility of the statesmen of England, including some great names, offers a certain degree of apology for the cabinet of the dethroned prince, to an extent even to justify the hopes that a counter-revolution would soon take place, and realize the expectations of the St Germains courtiers. It is a misfortune necessarily attending the success of any of those momentous changes of government, which, innovating upon the constitution of a country, are termed revolutions, that the new establishment of things cannot for some time attain that degree of respect and veneration which antiquity can alone impress. Evils are felt under the new government, as they must under every human institution, and men readily reconcile their minds to correct them, either by adopting further alterations, or by returning to that order of things which they have so lately seen in existence. That which is new itself, may, it is supposed, be subjected to further innovations without inconvenience, and if these are deemed essential and necessary, or even advantageous, there seems to ardent and turbulent spirits little reason

to doubt, that the force which has succeeded so lately in destroying the institutions which had the venerable sanction of antiquity, may be equally successful in altering or remodelling that which has been the work of the present generation, perhaps of the very statesmen who are now desirous of innovating upon it. With this disposition to change still further what has been recently the subject of alteration, mingle other passions. There must always be many of those that have been active in a recent revolution, who have not derived the personal advantages which they were entitled, or, which is the same thing, thought themselves entitled, to expect. Such disappointed men are apt, in their resentment, to think that it depends only upon themselves to pull down what they have assisted to build, and to rebuild the structure in the destruction of which they have been so lately assistants. This was in the utmost extent evinced after the English Revolution. Not only subordinate agents, who had been active in the Revolution, but some men of the highest and most distinguished talents, were induced to enter into plots for the restoration of the Stewarts. Marlborough, Carmarthen, and Lord Russell, were implicated in a correspondence with France in 1692; and indeed, throughout the reigns of William III. and Queen Anne, many men of consequence, not willing explicitly to lend themselves to counter-revolutionary plots, were yet not reluctant to receive projects, letters, and promises from the ex-king, and return

in exchange vague expressions of good-will for the cause of their old monarch, and respect for his person.

It is no wonder, therefore, that the Jacobite ministers at St Germains were by such negotiations rendered confident that a counter-revolution was approaching, or that they intrigued for their share in the honours and power which they conceived would be very soon at their master's disposal. In this they might, indeed, have resembled the hunters in the fable, who sold the bear's hide before they had killed him; but, on the other hand, they were less like simpletons who spend their time in gambling for nothing, than eager gamesters who play for a stake, which, though they do not yet possess, they soon expect to have at their disposal.

Amid such petty and empty feuds, it was not likely that the son of James II. should greatly augment the strength of mind of which nature had given him but a small share, especially as his father had laid aside those habits of business with which he was once familiar, and, resigning all hopes of his restoration, had abandoned himself entirely to the severities of ascetic devotion. From his advice and example, therefore, the Chevalier de St George could derive no advantage; and Heaven had not granted him the talents which supply the place of instruction.

The heir of this ancient line was not, however, deficient in the external qualities which associate well with such distinguished claims. He was of tall stature, and possessed a nobly formed counte-

nance, and courteous manners. He had made one or two campaigns with applause, and showed no deficiency of courage, if he did not display much energy. He appears to have been good-humoured, kind, and tractable. In short, born on a throne, and with judicious ministers, he might have been a popular prince; but he had not the qualities necessary either to win or to regain a kingdom.

16th Sept. 1701. Immediately before the death of his unfortunate father, the Chevalier de St George was consigned to the protection of Louis XIV., in an affecting manner. The French monarch came for the last time to bid adieu to his unfortunate ally when stretched on his deathbed. Affected by the pathos of the scene, and possessing in reality a portion of that royal magnanimity by which he was so ambitious of being distinguished, Louis declared publicly his purpose to recognise the title of his friend's son, as heir to the throne of Britain, and take his family under his protection. The dying prince half raised himself from his bed, and endeavoured to speak his gratitude; but his failing accents were drowned in a murmur of mingled grief and joy, which broke from his faithful followers. They were melted into tears, in which Louis himself joined. And thus was given, in a moment of enthusiasm, a promise of support which the French King had afterwards reason to repent of, as he could not gracefully shake off an engagement contracted under such circumstances of affecting solemnity; although in after periods of his reign, he was little

able to supply the Chevalier de St George with such succours as his promise had entitled that prince to expect.

Louis was particularly embarrassed by the numerous plans and schemes for the invasion of Scotland and England, proposed either by real Jacobites eager to distinguish themselves by their zeal, or by adventurers, who, like the noted Captain Simon Fraser, assumed that character, so as to be enabled either to forward the Chevalier de St George's interest, or betray his purpose to the English Ministry, whichever might best advance the interest of the emissary. This Captain Fraser (afterwards the celebrated Lord Lovat) was looked upon with coldness by the Chevalier and Lord Middleton, his secretary, but he gained the confidence of Mary of Esté, the widow of James II. Being at length, through her influence, despatched to Scotland, Fraser trafficked openly with both parties; and although, whilst travelling through the Highlands, he held the character and language of a highflying Jacobite, and privately betrayed whatever he could worm out of them to the Duke of Queensberry, then the royal commissioner and representative of Queen Anne, he had nevertheless the audacity to return to France, and use the language of an injured and innocent man, till he was thrown into the Bastile for his double dealing. It is probable that this interlude of Captain Fraser, which happened in 1703, contributed to give Louis a distrust of Scottish Jacobite agents, and inclined him, notwithstanding the general reports of disaf-

fection to Queen Anne's government, to try the temper of the country by an agent of his own, before resolving to give any considerable assistance towards an invasion, which his wars in Flanders, and the victories of Marlborough, rendered him ill able to undertake.

CHAPTER LXII.

The Spirit of Jacobitism kept alive by the improper manner in which the Treaty of Union was concluded—Mission of Lieut.-Col. Hooke from France to promote a Rebellion in Scotland—State of the Jacobite Party under the Dukes of Athole and Hamilton—Preparations of the French King for an Expedition in behalf of the Chevalier, and Arrival of the Chevalier at Dunkirk to join it—General Alarm in England—Sailing of the French Fleet—Their arrival in the Frith of Forth, and Return to Dunkirk, without Landing—Vacillating Conduct of the Duke of Hamilton—Trial and Acquittal of the Stirlingshire Jacobites—Introduction of Commissions of Oyer and Terminer into Scotland—Abolition of Examinations by Torture—Penalties formerly annexed to Cases of High Treason.

[1707–8.]

THERE are two reflections which arise from what we have stated in the former chapter, too natural to escape observation.

In the first place, we are led to conclude that all leagues or treaties between nations, which are designed to be permanent, should be grounded not only on equitable, but on liberal principles. Whatever advantages are assumed from the superior strength, or more insidiously attained by the superior cunning, of one party or the other, operate as

so many principles of decay, by which the security of the league is greatly endangered, if not actually destroyed. There can be no doubt that the open corruption and precipitate violence with which the Union was forced on, retarded for two generations the benefits which would otherwise have arisen from it; and that resentment, not so much against the measure itself, as against the disadvantageous terms granted to Scotland, gave rise to two, or, taking into account the battle of Glenshiel, to three civil wars, with all the peculiar miseries which attended them. The personal adherence of many individuals to the Stewart family might have preserved Jacobite sentiments for a generation, but would scarce have had intensity sufficient to kindle a general flame in the country, had not the sense of the unjust and illiberal manner in which the Union was concluded, come in aid of the zeal of the Jacobites, to create a general or formidable attack on the existing Government. As the case actually stood, we shall presently see how narrowly the Union itself escaped destruction, and the nation a counter-revolution.

This conducts us to the second remark, which I wish you to attend to, namely, how that, with all the facilities of intercourse afforded by the manners of modern nations, it nevertheless is extremely difficult for one government to obtain what they may consider as trustworthy information concerning the internal affairs and actual condition of another, either from the statements of partisans, who profess themselves in league with the state which

makes the enquiry, or from agents of their own, sent on purpose to pursue the investigation. The first class of informants deceive their correspondents and themselves, by the warm and sanguine view which they take of the strength and importance of their own party; the last are incapable of forming a correct judgment of what they see and hear, for want of that habitual and familiar knowledge of the manners of a country which is necessary to enable them to judge what peculiar allowances ought to be made, and what special restrictions may be necessary, in interpreting the language of those with whom they communicate on the subject of their mission.

This was exemplified in the enquiries instituted by Louis XIV. for ascertaining the exact disposition of the people of Scotland towards the Chevalier de St George. The agent employed by the French monarch was Lieutenant-colonel Hooke, an Englishman of good family. This gentleman followed King James II. to France, and was there received into the service of Louis XIV. to which he seems to have become so much attached as to have been comparatively indifferent to that of the son of his former master. His instructions from the French King were, to engage the Scots who might be disposed for an insurrection as deeply as possible to France, but to avoid precise promises, by which he might compromise France in any corresponding obligation respecting assistance or supplies. In a word, the Jacobite or anti-unionist party were to have leave from Louis to attempt a

rebellion against Queen Anne, at their own proper risk, providing the Grand Monarque, as he was generally termed, should be no further bound to aid them in the enterprise, or protect them in case of its failure, than he should think consistent with his magnanimity, and convenient for his affairs. This was no doubt a bargain by which nothing could be lost by France, but it had been made with too great anxiety to avoid hazard, to be attended with much chance of gaining by it.

With these instructions Colonel Hooke departed for Scotland in the end of February or beginning of March 1707, where he found, as had been described by the correspondence kept up with the Scots, different classes of people eager to join in an insurrection, with the purpose of breaking the Union, and restoring the Stewart family to the throne. We must first mention the state in which he found the Jacobite party, with whom principally he came to communicate.

This party, which, as it now included *the Country* faction, and all others who favoured the dissolution of the Union, was much more universally extended than at any other period in Scottish history, either before or afterwards, was divided into two parties, having for their heads the Dukes of Hamilton and Athole, noblemen who stood in opposition to each other in claiming the title of the leader of the Jacobite interests. If these two great men were to be estimated according to their fidelity to the cause which they had espoused, their pretensions were tolerably equal, for neither of them could lay

much claim to the honour due to political consistency. The conduct of Athole during the Revolution had been totally adverse to the royal interest; and that of the Duke of Hamilton, on his part, though affecting to act as head of the opposition to the Union, was such as to induce some suspicion that he was in league with the Government; since, whenever a decisive stand was to be made, Hamilton was sure to find some reason, better or worse, to avoid coming to extremities with the opposite party. Notwithstanding such repeated acts of defection on the part of these great dukes, their rank, talents, and the reliance on their general sincerity in the Jacobite cause, occasioned men of that party to attach themselves as partisans to one or other of them. It was natural that, generally speaking, men should choose for their leader the most influential person in whose neighbourhood they themselves resided or had their property; and thus the Highland Jacobites beyond the Tay rallied under the Duke of Athole; those of the south and west, under the Duke of Hamilton. From this it also followed, that the two divisions of the same faction, being of different provinces, and in different circumstances, held separate opinions as to the course to be pursued in the intended restoration.

The northern Jacobites, who had more power of raising men, and less of levying money, than those of the south, were for rushing at once into war without any delay, or stipulation of foreign assistance; and without further aid than their own good hearts and ready swords, expressed themselves

determined to place on the throne him whom they termed the lawful heir.

When Hooke entered into correspondence with this class of the Jacobite party, he found it easy to induce them to dispense with any special or precise stipulations concerning the amount of the succours to be furnished by France, whether in the shape of arms, money, or auxiliaries, so soon as he represented to them that any specific negotiation of this kind would be indelicate and unhandsome to the King of France, and probably diminish his inclination to serve the Chevalier de St George. On this point of pretended delicacy were these poor gentlemen induced to pledge themselves to risks likely to prove fatal to themselves, their rank, and their posterity, without any of the reasonable precautions which were absolutely necessary to save them from destruction.

But when the Duke of Hamilton (by his Secretary), Lord Kilsythe, Lockhart of Carnwath, Cochrane of Kilmaronock, and other leaders among the Jacobites of the west, had a conference with Colonel Hooke, their answers were of a different tenor. They thought that to render the plan of insurrection at all feasible, there should be a distinct engagement on the part of the King of France, to send over the Chevalier de St George to Scotland, with an auxiliary army of ten, or, at the very least, of eight thousand men. Colonel Hooke used very haughty language in answer to this demand, which he termed a "presuming to give advice to Louis XIV. how to manage his own affairs;" as if it had

not been the business of the Jacobites themselves to learn to what extent they were to expect support, before staking their lands and lives in so dangerous an enterprise.[1]

The extent of Colonel Hooke's success was obtaining a memorial, signed by ten lords and chiefs,[2] acting in the name, as they state, of the bulk of the nation, but particularly of thirty persons of distinction, from whom they had special mandates, in which paper they agreed that upon the arrival of the Chevalier de St George, they would make him master of Scotland, which was entirely in his interest, and immediately thereafter proceed to raise an army of twenty-five thousand foot, and five thousand horse. With this force they proposed to march into England, seize upon Newcastle, and distress the City of London by interrupting the

[1] ["I begged of them to remember," says Colonel Hooke, "that they had to do with a prince of the utmost penetration, who will never suffer himself to be imposed upon; that it would not look well in them to be teaching him what was his interest; that as they could not give me reasons in support of their demands, nor could make a satisfactory reply to my answers, how could they expect that so weak arguments should make an impression upon his majesty."—"I answered them that I always kept to the terms of my instructions, to promise them all that I judged necessary—that 5000 men were not sufficient to make head against the enemy, and that if they could not trust to the bravery of their nation, I advised them not to prosecute their design."—*Secret History of Colonel Hooke's Negotiations; written by himself.* 8vo. 1760. Pp. 52–53.]

[2] ["The ten who signed the Memorial were Lords Errol, Panmure, Stormont, and Kinnaird; Ogilvie of Boyne, Moray of Abercairnie, N. Keith, for the Earl Marischall, Drummond of Logie, Fotheringham of Pourie, and Innes of Coxtoun."—*Ibid.* p. 91.]

coal trade. They stated their hope that the King would send with the Chevalier an auxiliary army of at least five thousand men, some officers, and a general of high rank, such as the Scottish nobles would not scruple to obey. The Duke of Berwick, a natural son of the late king, and a general of first-rate talent, was particularly fixed upon. They also complained of a want of field-pieces, battering-cannon, and arms of every kind, and stated their desire of a supply. And lastly, they dwelt upon the need they had of a subsidy of six hundred thousand livres, to enable them to begin the war. But they stated these in the shape of humble requests, rather than demands or conditions, and submitted themselves in the same memorial to any modification or alteration of the terms, which might render them more acceptable to King Louis. Thus Hooke made good the important point in his instructions, which enjoined him to take the Scottish Jacobites bound as far as possible to the King of France, while he should on no account enter into any negotiations which might bind his Majesty to any counter-stipulations. Louis showed considerable address in playing this game, as it is vulgarly called, of Fast and Loose, giving every reason to conclude that his ministers, if not the sovereign himself, looked less upon the invasion of Scotland as the means of effecting a counter-revolution, than in the light of a diversion, which would oblige the British to withdraw a large proportion of the troops which they employed in Flanders, and thus obtain a superiority for France

on the general theatre of war. With this purpose, and to take the chance, doubtless, of fortunate events, and the generally discontented state of Scotland, the French court received and discussed at their leisure the prodigal offer of the Scottish Jacobites.

At length, after many delays, the French monarch actually determined upon making an effort. It was resolved to send to Scotland the heir of the ancient kings of that country, with a body of about five or six thousand men, being the force thought necessary by the faction of Athole—that of Hamilton having demanded eight thousand men at the very least. It was agreed that the Chevalier de St George should embark at Dunkirk with this little army, and that the fleet should be placed under the command of the Comte de Forbin, who had distinguished himself by several naval exploits.

When the plan was communicated by Monsieur de Chamillard, then minister for naval affairs, the commodore stated numerous objections to throwing so large a force ashore on the naked beach, without being assured of possessing a single harbour, or fortified place, which might serve them for a defence against the troops which the English Government would presently despatch against them. "If," pursued Forbin, "you have five thousand troops to throw away on a desperate expedition, give me the command of them; I will embark them in shallops and light vessels, and I will surprise Amsterdam, and, by destroying the commerce of the Dutch capital, take away all means

and desire on the part of the United Provinces to continue the war."—"Let us have no more of this," replied the Minister; "you are called upon to execute the King's commands, not to discuss them. His Majesty has promised to the King and Queen Dowager of England (the Chevalier de St George and Mary d'Esté) that he is to give them the stipulated assistance, and you are honoured with the task of fulfilling his royal word." To hear was to obey, and the Comte de Forbin set himself about the execution of the design intrusted to him; but with a secret reluctance, which boded ill for the expedition, since, in bold undertakings, success is chiefly insured by the zeal, confidence, and hearty co-operation of those to whom the execution is committed. Forbin was so far from being satisfied with the commission assigned him, that he started a thousand difficulties and obstacles, all of which he was about to repeat to the Monarch himself in a private interview, when Louis, observing the turn of his conversation, cut his restive admiral short by telling him, that he was busy at that moment, and wished him a good voyage.

The commander of the land forces was the Comte de Gassé who afterwards bore the title of Maréchal de Matignon. Twelve battalions were embarked on board of eight ships of the line and twenty-four frigates, besides transports and shallops for disembarkation. The King of France displayed his magnificence, by supplying the Chevalier de St George with a royal wardrobe, ser-

vices of gold and silver plate, rich liveries for his attendants, splendid uniforms for his guards, and all external appurtenances befitting the rank of a sovereign prince. At parting, Louis bestowed on his guest a sword, having its hilt set with diamonds, and, with that felicity of compliment which was natural to him above all other princes, expressed, as the best wish he could bestow upon his departing friend, his hope that they might never meet again. It was ominous that Louis used the same turn of courtesy in bidding adieu to the Chevalier's father, previous to the battle of La Hogue.

The Chevalier departed for Dunkirk, and embarked the troops; and thus far all had been conducted with such perfect secrecy, that England was totally unaware of the attempt which was meditated.[1] But an accident at the same time retarded the enterprise, and made it public. This was the illness of the Chevalier de St George, who was seized with the measles. It could then no longer remain a secret that he was lying sick in Dunkirk, with the purpose of heading an expedition, for which the troops were already embarked.

It was scarcely possible to imagine a country

[1] ["It was next to a miracle," says George Lockhart, "that so long delay and so many off-puts did not bring all to light, and occasion either then, or at least afterwards, when the attempt was made and miscarried, the ruin of many people: for the design was known to so many, and so much discoursed of in common conversation, that it was strange witnesses and proofs should be wanting to have hanged many honest men."—*Papers*, vol. i. p. 234.]

more unprepared for such an attack than England, unless it were Scotland. The great majority of the English army were then in Flanders. There only remained within the kingdom five thousand men, and these chiefly new levies. The situation of Scotland was still more defenceless. Edinburgh castle was alike unfurnished with garrison, artillery, ammunition, and stores. There were not in the country above two thousand regular soldiers, and these were Scottish regiments, whose fidelity was very little to be reckoned upon, if there should, as was probable, be a general insurrection of their countrymen. The panic in London was great, at court, in camp, and in city: there was also an unprecedented run on the Bank, which, unless that great national institution had been supported by an association of wealthy British and foreign merchants, must have given a severe shock to public credit.[1] The consternation was the more overwhelming, that the great men in England were jealous of each other, and, not believing that the Chevalier would have ventured over upon the en-

[1] ["The Lord Treasurer signified to the directors of the Bank, that her Majesty would allow, for six months, an interest of six per cent upon their bills, which was double the usual rate; and considerable sums of money were offered to them by this nobleman, as well as by the Dukes of Marlborough, Newcastle, and Somerset. The French, Dutch, and Jewish merchants, whose interest was in a peculiar manner connected with the safety of the Bank, exerted themselves for its support; and the directors having called in twenty per cent upon their capital stock, were enabled to answer all the demands of the timorous and disaffected."—SMOLLET, c. ix. b. 1.]

couragement of the Scottish nation only, suspected the existence of some general conspiracy, the explosion of which would take place in England.

Amid the wide-spreading alarm, active measures were taken to avert the danger. The few regiments which were in South Britain were directed to march for Scotland in all haste. Advices were sent to Flanders, to recall some of the British troops there for the more pressing service at home. General Cadogan, with ten battalions, took shipping in Holland, and actually sailed for Tynemouth. But even amongst these there were troops which could not be trusted. The Earl of Orkney's Highland regiment, and that which is called the Scotch fusileers, are said to have declared they would never use their swords against their country in an English quarrel. It must be added, that the arrival of this succour was remote and precarious. But England had a readier and more certain resource in the superiority of her navy.

With the most active exertions a fleet of forty sail of the line was assembled and put to sea, and, ere the French squadron commanded by Forbin had sailed, they beheld this mighty fleet before Dunkirk, on the 28th of February, 1708. The Comte de Forbin, upon this formidable apparition, despatched letters to Paris for instructions, having no doubt of receiving orders, in consequence, to disembark the troops, and postpone the expedition. Such an answer arrived accordingly; but while Forbin was preparing, on the 14th March, to carry it into execution, the English fleet was driven off

the blockade by stress of weather; which news having soon reached the court, positive orders came, that at all risks the invading squadron should proceed to sea.

They sailed accordingly on 17th March from the roads of Dunkirk; and now not a little depended on the accidental circumstance of wind and tide, as these should be favourable to the French or English fleets. The elements were adverse to the French. They had no sooner left Dunkirk roads than the wind became contrary, and the squadron was driven into the roadstead called Newport-pits, from which place they could not stir for the space of two days, when, the wind again changing, they set sail for Scotland with a favourable breeze. The Comte de Forbin and his squadron arrived in the entrance of the frith of Forth, sailed as high up as the point of Crail, on the coast of Fife, and dropped anchor there, with the purpose of running up the frith as far as the vicinity of Edinburgh on the next day, and there disembarking the Chevalier de St George, Maréchal Matignon, and his troops. In the mean time, they showed signals, fired guns, and endeavoured to call the attention of their friends, whom they expected to welcome them ashore.

None of these signals were returned from the land; but they were answered from the sea in a manner as unexpected as it was unpleasing. The report of five cannon, heard in the direction of the mouth of the frith, gave notice of the approach of Sir George Byng and the English fleet, which

had sailed the instant their admiral learned that the Comte de Forbin had put to sea; and though the French had considerably the start of them, the British admiral contrived to enter the frith immediately after the French squadron.

The dawn of morning showed the far superior force of the English fleet advancing up the frith, and threatening to intercept the French squadron in the narrow inlet of the sea into which they had ventured. The Chevalier de St George and his attendants demanded to be put on board a smaller vessel than that commanded by Monsieur de Forbin, with the purpose of disembarking at the ancient castle of Wemyss, on the Fife coast, belonging to the earl of the same name, a constant adherent of the Stewart family. This was at once the wisest and most manly course which he could have followed. But the son of James II. was doomed to learn how little freewill can be exercised by the prince who has placed himself under the protection of a powerful auxiliary. Monsieur de Forbin, after evading his request for some time, at length decidedly said to him—"Sire, by the orders of my royal master, I am directed to take the same precautions for the safety of your august person as for his Majesty's own. This must be my chief care. You are at present in safety, and I will never consent to your being exposed in a ruinous chateau, in an open country, where a few hours might put you in the hands of your enemies. I am intrusted with your person; I am answerable for your safety with my head; I beseech you,

therefore, to repose your confidence in me entirely, and to listen to no one else. All those who dare give you advice different from mine, are either traitors or cowards." Having thus settled the Chevalier's doubts in a manner savouring something of the roughness of his profession, the Comte de Forbin bore down on the English admiral, as if determined to fight his way through the fleet. But as Sir George Byng made signal for collecting his ships to meet the enemy, the Frenchman went off on another tack, and, taking advantage of the manœuvre to avoid the English admiral, steered for the mouth of the frith. The English ships having been long at sea, were rather heavy sailers, while those of Forbin had been carefully selected and careened for this particular service. The pursuit of Byng was therefore in vain, excepting that the Elizabeth, a slow-sailing vessel of the French fleet, fell into his hands.

Admiral Byng, when the French escaped him, proceeded to Edinburgh to assist in the defence of the capital, in case of any movement of the Jacobites which might have endangered it. The Comte de Forbin, with his expedition, had, on the other hand, the power of choosing among all the ports on the north-east coast of Scotland, from Dundee to Inverness, the one which circumstances might render most eligible for the purpose of disembarking the Chevalier de St George and the French troops. But whether from his own want of cordiality in the object of the expedition, or whether, as was generally suspected by the Scot-

tish Jacobites at the time, he had secret orders from his court which regulated his conduct, Forbin positively refused to put the disinherited prince, and the soldiers destined for his service, on shore at any part of the north of Scotland, although the Chevalier repeatedly required him to do so. The expedition returned to Dunkirk, from which it had been four weeks absent; the troops were put ashore and distributed in garrison, and the commanders hastened to court, each to excuse himself, and throw the blame of the failure upon the other.[1]

On the miscarriage of this intended invasion, the malecontents of Scotland felt that an opportunity was lost, which never might, and in fact never did, again present itself. The unanimity with which almost all the numerous sects and parties in Scotland were disposed to unite in any measure which could rid them of the Union, was so unusual, that it could not be expected to be of long duration in so factious a nation. Neither was it likely that the kingdom of Scotland would, after such a lesson, be again left by the English Government so ill provided for defence. Above all, it semed probable that the vengeance of the Ministry would

[1] ["One thing is certain, had not the wind chopt about and kept them bound up in Newport Pits, they might have been in Scotland before Sir George Byng knew of their sailing from Dunkirk; for, having sailed from thence in the evening, e're next day they'd have been out of land's sight; but being wind-bound in these Pits, occasioned their being discovered from off the steeples of Ostend. Notice of which being immediately dispatched to Sir George Byng, he instantly sailed with the English fleet, and arrived at the mouth of the frith in the night time, some few hours after the French."—LOCKHART *Papers*, vol. i. p. 242.]

descend so heavily on the heads of those who had been foremost in expressing their good wishes to the cause of the Chevalier de St George, as might induce others to beware of following their example on future occasions.

During the brief period when the French fleet was known to be at sea, and the landing of the army on some part of the coast of Scotland was expected almost hourly, the depression of the few who adhered to the existing government was extreme. The Earl of Leven, commander-in-chief of the Scottish forces, hurried down from England to take the command of two or three regiments, which were all that could be mustered for the defence of the capital, and, on his arrival, wrote to the Secretary of State that the Jacobites were in such numbers, and showed themselves so elated, that he scarce dared look them in the face as he walked the streets. On the approach of a fleet, the Earl drew up his army in hostile array on Leith Sands, as if he meant to withstand any attempt to land. But great was his relief, when the approaching vessels of war showed the flag of England, instead of France, and proved to be those of Sir George Byng, instead of the Comte de Forbin's.

When this important intelligence was publicly known, it was for the Jacobites in their turn to abate the haughty looks before which their enemies had quailed, and resume those which they wore as a suffering but submissive faction. The Jacobite gentlemen of Stirlingshire, in particular, had almost gone the length of rising in arms, or, to speak more

properly, they had actually done so, though no opportunity had occurred of coming to blows. They had now, therefore, reason to expect the utmost vengeance of Government.

This little band consisted of several men of wealth, influence, and property. Stirling of Keir, Seaton of Touch, Edmondstoun of Newton, Stirling of Carden, and others, assembled a gallant body of horse, and advanced towards Edinburgh, to be the first who should offer themselves for the service of the Chevalier de St George. Learning by the way the failure of the expedition, they dispersed themselves, and returned to their own homes. They were seized, however, thrown into prison, and threatened to be tried for high treason.

The Duke of Hamilton, with that want of decision which gave his conduct an air of mysterious inconsistency, had left his seat of Kinniel to visit his estates in Lancashire, while the treaty concerning the French invasion was in dependence. He was overtaken on his journey by a friend, who came to apprise him, that all obstructions to the expedition being overcome, it might be with certainty expected on the coast in the middle of March. The Duke seemed much embarrassed, and declared to Lockhart of Carnwath, that he would joyfully return, were it not that he foresaw that his giving such a mark of the interest he took in the arrival of the Chevalier, as that which stopping short on a journey, and returning to Scotland on the first news that he was expected, must necessarily imply, would certainly determine the Government to arrest

him on suspicion. But his Grace pledged himself, that when he should learn by express that the French were actually arrived, he would return to Scotland in spite of all opposition, and rendezvous at Dumfries, where Mr Lockhart should meet him with the insurgents of Lanarkshire, the district in which both their interests lay.

The Duke had scarcely arrived at his house of Ashton, in Lancashire, when he was arrested as a suspicious person, and was still in the custody of the messenger when he received the intelligence that the French armament had actually set sail. Even this he did not conceive a fit time to declare himself, but solemnly protested, that so soon as he should learn that the Chevalier had actually landed, he would rid himself of the officer in whose custody he was, and set off for Scotland at the head of forty horse, to live or die in his service. As the Chevalier never set foot ashore, we have no means of knowing whether the Duke of Hamilton would have fulfilled his promise, which Mr Lockhart seems to have considered as candidly and sincerely given, or have had recourse to some evasion, as upon other critical occasions.[1]

[1] [The Duke of Hamilton was in bad health, or feigned to be so during the sojourn of Colonel Hooke, who obtained no intercourse with him but through Mr Hall, his Grace's secretary. "I was quickly convinced," says Hooke, "that he did not act sincerely; for having learned that Mr Hall had written by the same messenger to two of his friends, I found means to get possession of the letters, in which he had written more openly." "I saw by these letters that the Duke sought underhand to break all the measures of the well-affected, and then to excuse himself

The Government, as is usual in such cases, were strict in investigating the cause of the conspiracy, and menacing those who had encouraged it, in a proportion corresponding to the alarm into which they had been thrown. A great many of the Scottish nobility and gentry were arrested on suspicion, secured in prisons and strong fortresses in Scotland, or sent to London in a kind of triumph, on account of the encouragement they were supposed to have given to the invasion.

The Stirlingshire gentlemen, who had actually taken arms and embodied themselves, were marked out as the first victims, and were accordingly sent back to Scotland, to be tried in the country where they had committed the crime. They met more favourable judges than was perhaps to have been expected.

Being brought to trial before the High Court of Justiciary, several witnesses were examined, who had seen the gentlemen assembled together in a body, but no one had remarked any circumstance which gave them the character of a military force.

to them by false pretences." "I was so incensed at this proceeding, that I would write no more either to the Duke or Mr Hall; I said only by word of mouth to him who brought me the letter, that I had no answer to return. But upon reflecting that the Duke pretended to be able to put the K— of England upon the throne, without the assistance of France, and that at the same time he endeavoured to hinder that Prince from coming over to Scotland, it came into my mind, that he had still an intention of seizing the throne himself."—*Secret History*. pp. 39, 40. Among Letters from the Scottish Nobility to the Chevalier, Hooke carried one from the Duke, written in cyphers, but neither signed nor addressed.—See it, *Ibid.* pp. 102–105.]

They had arms, indeed, but few gentlemen of that day stirred abroad without sword and pistol. No one had heard any treasonable conversation, or avowal of a treasonable purpose. The jury, therefore, found the crime was *Not Proved* against them—a verdict which, by the Scottish law, is equivalent in its effects to one of Not Guilty, but which is applied to those cases in which the accused persons are clouded with such a shade of suspicion as renders their guilt probable in the eyes of the jury, though the accuser has failed to make it good by proof. Their trial took place on the 22d November, 1708.

A short traditional story will serve to explain the cause of their acquittal. It is said, the Laird of Keir was riding joyfully home, with his butler in attendance, who had been one of the evidence produced against him on the trial, but who had, upon examination, forgot every word concerning the matter which could possibly prejudice his master. Keir could not help expressing some surprise to the man at the extraordinary shortness of memory which he had shown on particular questions being put to him. "I understand what your honour means very well," said the domestic coolly, "but my mind was made up rather to trust my own soul to the mercy of Heaven than your honour's body to the tender compassion of the Whigs." This tale carries its own commentary.

Having failed to convict conspirators who had acted so openly, the Government found it would be hopeless to proceed against those who had been

arrested on suspicion only. This body included many noblemen and gentry of the first rank, believed to entertain Jacobite sentiments. The Duke of Gordon, the Marquis of Huntly, the Earls Seaforth, Errol, Nithsdale, Marischal, and Murray; Lords Stormont, Kilsythe, Drummond, Nairne, Belhaven, and Sinclair, besides many gentlemen of fortune and influence, were all confined in the Tower, or other state prisons. The Duke of Hamilton is supposed to have been successful in making interest with the Whigs for their release, his Grace proposing, in return, to give the Ministers the advantage of his interest, and that of his friends, upon future elections. The prisoners were accordingly dismissed on finding bail.[1]

The government, however, conceived that the failure to convict the Stirlingshire gentlemen accused of high treason (of which they were certainly guilty), arose less from the reluctance of witnesses to bear testimony against them, than in advantages afforded to them by the uncertain and general provisions of the Scottish statutes in cases of treason.[2] They proposed to remedy this by abrogating the Scottish law, and introducing that

[1] ["Belhaven had already survived his country; but at this unworthy treatment, the generous patriot expired of grief and indignation as soon as he was released."—LAING, vol. ii. p. 346.]

[2] ["By the connivance of Stewart, the Queen's advocate, who neglected to furnish a list of witnesses, which the judges, equally dissatisfied with Government, deemed indispensable, the prisoners were immediately absolved by the Justiciary Court."—*Ibid.* vol. ii. p. 346.]

of England in its stead, and ordaining that treasons committed in Scotland should be tried and decided in what is technically called a Commission of *Oyer* and *Terminer*, *i. e.* a Court of Commissioners appointed for hearing and deciding a particular cause, or set of causes. This, it must be noticed, contained an important advantage to the Government, since the case was taken from under the cognizance of the ordinary courts of justice, and intrusted to commissioners named for the special occasion, who must, of course, be chosen from men friendly to Government, awake to the alarm arising from any attack upon it, and, consequently, likely to be somewhat prejudiced against the parties brought before them, as accomplices in such an enterprise. On the other hand, the new law, with the precision required by the English system, was decided and distinct in settling certain forms of procedure, which, in Scotland, being left to the arbitrary pleasure of the judges, gave them an opportunity of favouring or distressing the parties brought before them. This was a dangerous latitude upon political trials, where every man, whatever might be his rank, or general character for impartiality, was led to take a strong part on one side or other of the question out of which the criminal interest had arisen.

Another part of the proposed act was, however, a noble boon to Scotland. It freed the country for ever from the atrocious powers of examination under torture. This, as we have seen, was currently practised during the reigns of Charles II.

and his brother James; and it had been put in force, though unfrequently, after the Revolution. A greater injustice cannot be imagined, than the practice of torture to extort confession, although it once made a part of judicial procedure in every country of Europe, and is still resorted to in some continental nations. It is easy to conceive, that a timid man, or one peculiarly sensible to pain, will confess crimes of which he is innocent, to avoid or escape from the infliction of extreme torture; while a villain, of a hardy disposition of mind and body, will endure the worst torment that can be imposed on him, rather than avow offences of which he is actually guilty.

The laws of both countries conformed but too well in adding to the punishment of high treason certain aggravations, which, while they must disgust and terrify the humane and civilized, tend only to brutalize the vulgar and unthinking part of the spectators, and to familiarize them with acts of cruelty. On this the laws of England were painfully minute. They enjoined that the traitor should be cut down from the gibbet before life and sensibility to pain were extinguished—that while half-strangled, his heart should be torn from his breast and thrown into the fire—his body opened and embowelled, and,—omitting other more shamefully savage injunctions,—that his corpse should be quartered, and exposed upon bridges and city towers, and abandoned to the carrion crow and the eagle. Admitting that high treason, as it implies the destruction of the government under which we live,

is the highest of all possible crimes, still the forfeiture of life, which it does, and ought to infer, is the highest punishment which our mortal state affords. All the butchery, therefore, which the former laws of England prescribed, only disgusts or hardens the heart of the spectator; while the apparatus of terror seldom affects the criminal, who has been generally led to commit the crime by some strong enthusiastic feeling, either implanted in him by education, or caught up from sympathy with others; and which, as it leads him to hazard life itself, is not subdued or daunted by the additional or protracted tortures, which can be added to the manner in which death is inflicted.

Another penalty annexed to the crime of high treason, was the forfeiture of the estates of the criminal to the crown, to the disinheriting of his children, or natural heirs. There is something in this difficult to reconcile to moral feeling, since it may, in some degree, be termed visiting the crimes of the parents upon the children. It may be also alleged, that it is hard to forfeit and take away from the lawful line of succession property which may have been acquired by the talents and industry of the criminal's forefathers, or, perhaps, by their meritorious services to the state. But, on the other hand, it must be considered, that there is something not unappropriate in the punishment of reducing to poverty the family of him, who by his attack on the state, might have wrought the ruin of thousands of families. Nor is it less to be admitted, that this branch of the punishment has a quality always de-

sirable—namely, a strong tendency to deter men from the crime. High treason is usually the offence of men of rank and wealth; at least such being the leaders in civil war, are usually selected for punishment. It is natural that such individuals, however willingly they may venture their own persons, should be apt to hesitate when the enterprise involves all the fortunes of their house, name, rank, and other advantages, which, having received perhaps from a long train of ancestors, they are naturally and laudably desirous to transmit to their posterity.

The proposal for extending the treason law of England into North Britain, was introduced under the title of a bill for further completing and perfecting the Union. Many of the Scottish members alleged, on the contrary, that the proposed enactments were rather a violation of the national treaty, since the bill was directly calculated to encroach on the powers of the Court of Justiciary, which had been guaranteed by the Union. This objection was lessened at least by an amendment on the bill, which declared, that three of the Judges of Justiciary (so the Criminal Court of Scotland is termed) should be always included in any Commission of Oyer and Terminer. The bill passed into a statute, and has been ever since the law of the land.

Thus was the Union completed. We shall next endeavour to show, in the phrase of mechanics, how this new machine worked; or, in other words, how this great alteration on the internal Constitution of Great Britain answered the expectations of those by whom the changes were introduced.

CHAPTER LXIII.

Characters of the Leading Men in Scotland—the Dukes of Hamilton, Argyle, and the Earl of Mar—Reception of the Scottish Members in Parliament—Differences between the Scottish Peers and Commoners—Reconciliation between them in consequence of the Discussion of the Question, whether Scottish Peers, on being created Peers of Great Britain, had a right to sit in the House of Lords—Debate on the Question, whether the Malt Tax ought to be extended to Scotland—Motion for the Abolition of the Union—negatived by a Majority of only Four—Ferment occasioned by the Publication of Swift's Pamphlet on "The Public Spirit of the Whigs."

[1708—1713.]

In order to give you a distinct idea of the situation in which Great Britain was placed at this eventful period, I shall first sketch the character of three or four of the principal persons of Scotland whose influence had most effect in producing the course of events which followed. I shall then explain the course pursued by the Scottish representatives in the national Parliament; and these preliminaries being discussed, I shall, thirdly, endeavour to trace the general measures of Britain respecting her foreign relations, and to explain the effect which these produced upon the public tranquillity of the United Kingdom.

The Duke of Hamilton you are already somewhat acquainted with, as a distinguished character during the last Parliament of Scotland, when he headed the opposition to the treaty of Union; and also during the plot for invading Scotland and restoring the Stewart family, when he seems to have been regarded as the leader of the Lowland Jacobites, those of the Highlands rather inclining to the Duke of Athole. He was the peer of the highest rank in Scotland, and nearly connected with the royal family; which made some accuse him of looking towards the crown, a folly of which his acknowledged good sense might be allowed to acquit him. He was handsome in person, courtly and amiable in manners, generally popular with all classes, and the natural head of the gentry of Lanarkshire, many of whom are descended from his family. Through the influence of his mother, the Duchess, he had always preserved a strong interest among the Hillmen, or Cameronians, who had since the Revolution shown themselves in arms more than once; and, in case of a civil war or invasion, must have been of material avail. With all these advantages of birth, character, and influence, the Duke of Hamilton had a defect which prevented his attaining eminence as a political leader. He possessed personal valour, as he showed in his last and tragic scene, but he was destitute of political courage and decision. Dangers which he had braved at a distance, appalled him when they approached near; he was apt to disappoint his friends, as the horse who baulks the leap to which he has come

gallantly up, endangers, or perhaps altogether unseats his rider. Even with this defect, Hamilton was beloved and esteemed by Lockhart, and other leaders of the Tory party, who appear rather to have regretted his unsteadiness as a weakness, than condemned it as a fault.

The next Scottish nobleman, whose talents made him pre-eminent on the scene during this eventful period, was John, Duke of Argyle, a person whose greatness did not consist in the accidents of rank, influence, and fortune, though possessed of all these in the highest order which his country permitted, since his talents were such as must have forced him into distinction and eminence, in what humble state soever he might have been born. This great man was heir of the ancient house of Argyle, which makes so distinguished a figure in Scottish history, and whose name occurs so often in the former volumes of these tales. The Duke of whom we now speak was the great-grandson of the Marquis of Argyle who was beheaded after the Restoration, and grandson of the earl who suffered the same fate under James II. The family had been reduced to very narrow circumstances, by those repeated acts of persecution.

The house of Argyle was indemnified at the Revolution, when the father of Duke John was restored to his paternal property, and in compensation for the injuries and injustice sustained by his father and grandfather, was raised to the rank of Duke. A remarkable circumstance which befell Duke John in his infancy, would, by the pagans,

have been supposed to augur, that he was under the special care of Providence, and reserved for some great purposes. About the time (tradition says on the very day, 30th June, 1685) that his grandfather, the Earl Archibald, was about to be executed, the heir of the family, then about seven years old, fell from a window of the ancient tower of Lethington, near Haddington, the residence at that time of his grandmother, the Duchess of Lauderdale. The height is so great, that the child escaping unhurt, might be accounted a kind of miracle.

Having entered early on a military life, to which his family had been long partial, he distinguished himself at the siege of Keyserswart, under the eye of King William. Showing a rare capacity for business, he was appointed Lord High Commissioner to the Scottish Parliament in 1705, on which occasion he managed so well, as to set on foot the treaty of Union, by carrying through the Act for the appointment of Commissioners, to adjust that great national measure. The Duke, therefore, laid the first stone of an edifice, which, though carried on upon an erroneous and narrow system, was nevertheless, ultimately calculated to be, and did in fact prove, the basis of universal prosperity to the United Kingdoms. In the last Scottish Parliament, his powerful eloquence was a principal means of supporting that great treaty. Argyle's name does not appear in any list of the sharers of the equivalent money: and his countrymen, amid the unpopularity which attached to the measure,

distinguished him as having favoured it from real principle. Indeed, it is an honourable part of this great man's character, that, though bent on the restoration of the fortunes of his family, sorely abridged by the mischances of his grandfather and great-grandfather, and by the extravagances of his father, he had too much sense and too much honour ever to stoop to any indirect mode of gaining personal advantage, and was able, in a venal age, to set all imputations of corruption at defiance; whereas the statesman who is once detected bartering his opinions for lucre, is like a woman who has lost her reputation, and can never afterwards regain the public trust and good opinion which he has forfeited. Argyle was rewarded, however, by being created an English Peer, by the title of Earl of Greenwich, and Baron Chatham.

Argyle, after the Union was carried, returned to the army, and served under Marlborough with distinguished reputation, of which it was thought that great general even condescended to be jealous. At least it is certain that there was no cordiality between them, it being understood that when there was a rumour that the Whig administration of Godolphin would make a push to have the Duke created general for life, in spite of the Queen's pleasure to the contrary, Argyle offered, if such an attempt should be made, to make Marlborough prisoner even in the midst of the victorious army which he commanded. At this time, therefore, he was a steady and zealous friend of Harley and Bolingbroke, who were then beginning their Tory

administration. To recompense his valuable support, he was named by the Tory Ministry commander-in-chief in Spain, and assured of all the supplies in troops and money which might enable him to carry on the war with success in that kingdom, where the Tories had all along insisted it should be maintained. With this pledge, Argyle accepted the appointment, in the ambitious hope of acquiring that military renown which he principally coveted.

But the Duke's mortification was extreme in finding, on his arrival in Spain, the British army in a state too wretched to undertake any enterprise of moment, and indeed unfit even to defend its positions. The British Ministers broke the word they had pledged for his support, and sent him neither money, supplies, nor reinforcements; so that instead of rivalling Marlborough, as had been his ambition, in conquering territories and gaining battles, Argyle saw himself reduced to the melancholy necessity of retiring to Minorca to save the wreck of the army. The reason given by the Ministers for this breach of faith was, that having determined on that accommodation with France which was afterwards termed the peace of Utrecht, they did not desire to prosecute the war with vigour either in Spain or any other quarter. Argyle fell sick with mortified pride and resentment. He struggled for life in a violent fever, and returned to Britain with vindictive intentions towards the Ministers, who had, he thought, disappointed him,

by their breach of promise, of an ample harvest of glory.

On his return to England, the Ministers, Harley, now Earl of Oxford, and the Lord Bolingbroke, endeavoured to soothe the Duke's resentment by appointing him commander-in-chief in Scotland, and governor of the castle of Edinburgh; but notwithstanding, he remained a bitter and dangerous opponent of their Administration, formidable by his high talents, both civil and military, his ready eloquence, and the fearless energy with which he spoke and acted.[1] Such was the distinguished John Duke of Argyle, whom we shall often have to mention in these pages.

John, eleventh Earl of Mar, of the name of Erskine, was also a remarkable person at this period. He was a man of quick parts and prompt eloquence, an adept in state intrigues, and a successful courtier. His paternal estate had been greatly embarrassed by the mismanagement of his father, but in a great measure redeemed by his own prudent economy. He obtained the command of a regiment of foot, but though we are about to see him at the head of an army, it does not appear that Mar had given his mind to military affairs, or acquired experience by going on actual service. His

[1] ["In consequence of his opposition, and his known attachment to the House of Hanover, the Duke of Argyle was, 4th March, 1714, dismissed from the command of the Scotch troop of horse-guards, and deprived of his governments of Minorca and Edinburgh."—Wood's *Peerage*, vol. i. p. 109.]

father had been a Whig, and professed Revolution principles, and the present Earl entered life bearing the same colours. He brought forward in the Parliament of Scotland the proposal for the treaty of Union, and was one of the Scottish commissioners for settling the preliminary articles. Being secretary of state for Scotland during the last Scottish Parliament, he supported the treaty both with eloquence and address. Mar does not appear amongst those who received any portion of the equivalents; but as he lost his secretaryship by the Union, he was created keeper of the signet, with a pension, and was admitted into the English Privy Council. Upon the celebrated change of the Administration in 1710, the Earl of Mar, then one of the fifteen peers who represented the nobility of Scotland, passed over to the new Ministers, and was created one of the British secretaries of state. In this capacity he was much employed in the affairs of Scotland, and in managing such matters as they had to do in the Highlands. His large estate upon the river Dee in Aberdeenshire, called the forest of Braemar, placed him at the head of a considerable Highland following of his own, which rendered it more easy for him, as dispenser of the bounties of Government, to establish an interest among the chiefs, which ultimately had fatal consequences to them and to himself.

Such were the three principal Scottish nobles on whom the affairs of Scotland, at that uncertain period, very much depended. We are next to give some account of the manner in which the forty-

five members, whom the Union had settled to be the proportion indulged to Scotland as her share of the Legislature, were received in the English senate.

And here it must be noticed, that although individually the Scottish members were cordially received in London, and in society saw or felt no prejudice whatever existing against them on account of their birth-place, and though there was no dislike exhibited against them individually, yet they were soon made sensible that their presence in the senate was as unacceptable to the English members, as the arrival of a body of strange rams in a pasture, where a flock of the same animals have been feeding for some time. The contentions between those who are in possession and the new comers, are in that case carried to a great height, and occasion much noise and many encounters; and for a long time the smaller band of strangers are observed to herd together, and to avoid intermingling with the original possessors, nor, if they attempt to do so, are they cordially received.

This same species of discord was visible between the great body of the English House of Commons and the handful of Scottish members introduced among them by the Union. It was so much the case, that the national prejudices of English and Scots pitted against each other, even interfered with and overcame the political differences, by which the conduct and votes of the representatives of both nations would have been otherwise regu-

lated. The Scottish members, for example, found themselves neglected, thwarted, and overborne by numbers, on many occasions where they conceived the immediate interests of their country were concerned, and where they thought that, in courtesy and common fairness, they, as the peculiar representatives of Scotland, ought to have been allowed something more than their small proportion of five-and-forty votes. The opinion even of a single member of Parliament is listened to with some deference, when the matter discussed intimately concerns the shire or burgh which he represents, because he obtains credit for having made himself more master of the case than others who are less interested. And it was surely natural for the Scots to claim similar deference when speaking in behalf of a whole kingdom, whose wants and whose advantages could be known to none in the House so thoroughly as to themselves. But they were far from experiencing the courtesy which they expected. It was expressly refused to them in the following instances.

1. The alteration of the law of high treason, already mentioned, was a subject of discord. The Scottish members were sufficiently desirous that their law, in this particular, should be modelled anew, by selecting the best parts of the system of both countries, and this would certainly have been the most equitable course. But the English law, in this particular, was imposed on Scotland with little exception or modification.

2. Another struggle for national advantage oc-

cured respecting the drawbacks of duty allowed upon fish cured in Scotland. This advantage the Scottish merchants had a right to by the letter of the treaty, which expressly declared, that there should be a free communication of trade and commercial privileges between the kingdoms, so that the Scottish as well as the English merchant was entitled to these drawbacks. To this the English answered, that the salt with which the Scottish fish were cured before the Union, had not paid the high English duty, and that to grant drawbacks upon goods so prepared, would be to return to the Scottish trader sums which he had never advanced. There was some reason, no doubt, in the objection; but in so great a transaction as the Union of two kingdoms, there must have occurred circumstances which, for one cause or another, must necessarily create an advantage to individuals of the one country or the other; and it seemed ungracious in the wealthy kingdom of England to grudge to the poorer people of Scotland so trifling a benefit attendant on so important a measure. The English Parliament did accordingly at last agree to this drawback; but the action lost its grace from the obvious unwillingness with which the advantage was conceded, and, as frequently happens, the giving up the point in question did not consign to oblivion the acrimony of the discussions which it had occasioned. The debates on the several questions we have just noticed, all occurred in the sessions of the British Parliament during which the Union was completed.

In 1710, Queen Anne, becoming weary of her Whig ministers, as I will tell you more at length, took an opportunity to dismiss them, upon finding the voice of the country unfavourable to them, in the foolish affair of Sacheverel; and, as is the usual course in such cases, she dissolved the Parliament in which the Administration had a majority, and assembled a new one.[1]

The Tory Ministry, like all Ministers entering on office, endeavoured, by civility or promises, to gain the support of every description of men; and the Scottish members, who, after all, made up forty-five votes, were not altogether neglected. The new Ministry boasted to the representatives of North Britain, that the present Parliament consisted chiefly of independent country gentlemen, who would do impartial justice to all parts of Britain, and that Scotland should have nothing to complain of.

An opportunity speedily occurred of proving

[1] ["And then all parties went heartily to work, the Whigs to make the best they could of a losing game, the Tories to appear formidable at their first setting out. The one bellowed far and near that Popery and the Pretender were coming in; the other cried aloud that the Church and the Monarchy were rescued from the very brink of perdition. Although the Whigs left no stone unturned to promote their interest, the Tories got the better of them by far in most of the elections in England. Neither were they less diligent on all sides in Scotland. The Whigs there, to the fears of Popery and the Pretender, added the danger that Presbytery was in. The Tories spoke little above board, but underhand represented that now or never was the time to do something effectually for the King, and by restoring him, dissolve the Union."—LOCKHART *Papers*, vol. i. pp. 318, 319.]

the sincerity of these promises. It must first be remarked, that the opposition made to the measures of Government had hitherto been almost entirely on the side of the Scottish members in the Lower House, who had pursued the policy of threatening to leave the Administration in a minority in trying questions, by passing in a body to the Opposition; a line of political tactics which will always give to a small but united band a certain weight in the House of Commons, where nicely balanced questions frequently occur, and forty-five votes may turn the scale one way or other. By this policy the Scottish commoners had sometimes produced a favourable issue on points in which their country was concerned. But such was not the practice of the representatives of the peerage, who, having some of them high rank, with but small fortunes to sustain it, were for a time tolerably tractable, voting regularly along with the Ministers in power. A question, however, arose of which we shall speak presently, concerning the privileges of their own order, which disturbed this interested and self-seeking course of policy.

Another reason for the lukewarmness of the Scottish peers was, that the commoners of Scotland had been active on two occasions, in which they had interposed barriers against the exorbitant power of the aristocracy. The first was, an enactment passed rendering the eldest sons of Scottish peers incapable of sitting as members in the House of Commons. This incapacity was im-

posed, because, being of the same rank or status as the nobility, it was considered that the eldest sons of the nobles were, like their fathers, virtually represented by the sixteen Scottish peers sent to the Upper House.[1] The second regulation displeasing to the peerage was that which rendered illegal the votes of such electors in Scotland, as, not being possessed in their own right of the qualification necessary by law, had obtained a temporary conveyance of a freehold qualification of the necessary amount, which they bound themselves to restore to the person by whom it was lent, for the purpose of voting at elections. The effect of this law was to destroy an indirect mode by which the peers had attempted to interfere in the election of the commoners. For before this provision, although a peer could not himself appear or vote for the election of a commoner, he might, by cutting his crown-holding into qualifications of the necessary amount, and distributing them among confidential persons, place so many factitious voters on the roll, as might outvote those real proprietors in whom the constitution vested the right of election.

These two laws show that the Scottish members of the House of Commons were alive to the value of their constitutional rights, and the danger to their freedom from the interference of the peers in elections to the Lower House. These differences occasioned some coldness between the Sixteen

[1] [The eldest sons of Scots peers were not relieved from this incapacity until the passing of the Bill for Parliamentary Reform in 1832.]

Peers and the Scottish Members of Parliament, and prevented for a time a co-operation between them in cases where the interests of their common country seemed to require it. The following incident, to which I have already alluded, put an end to this coldness.

Queen Anne, in the course of her administration, had begun to withdraw her favours from the Whigs and confer them upon the Tories, even upon such as were supposed to have embraced the Jacobite interest. Among these, the Duke of Hamilton being conspicuous, he was, in addition to his other titles, created a peer of Great Britain, by the title of the Duke of Brandon. A similar exertion of the Queen's prerogative had already been made in the case of the Duke of Queensberry, who had been called to the British peerage, by the title of Duke of Dover. But notwithstanding this precedent, there was violent opposition to the Duke of Hamilton taking his seat as a British peer. It was said no Scottish noble could sit in that House by any other title than as one of the sixteen Peers, to which number the peerage of that kingdom had been restricted as an adequate representation; and the Opposition pretended to see great danger in opening any other way to their getting into the Upper House, even through the grant of the Sovereign, than the election of their own number. The fallacy of this reasoning is obvious, seeing it was allowed on all hands that the Queen could have made any Scotsman a British peer, providing he was not a peer in his own country. Thus the

Scottish peerage were likely to be placed in a very awkward situation. They were peers already, as far as the question of all personal privileges went; but because they were such, it was argued that they were not capable of holding the additional privilege of sitting as legislators, which it was admitted the Queen could confer, with all other immunities, upon any Scottish commoner. Their case was that of the bat in the fable, who was rejected both by birds and mice, because she had some alliance with each of them. A Scottish peer, not being one of the elected sixteen, could not be a legislator in his own country, for the Scottish Parliament was abolished; and according to this doctrine, he had become, for no reason that can be conjectured, incapable of being called to the British House of Peers, to which the King could summon by his will any one save himself and his co-peers of Scotland. Nevertheless, the House of Peers, after a long debate, and by a narrow majority, decided, that no Scottish peer being created a peer of Great Britain since the Union, had a right to sit in that house. The Scottish peers, highly offended at the decision, drew up a remonstrance to the Queen, in which they complained of it as an infringement of the Union, and a mark of disgrace put upon the whole peerage of Scotland. The resolution of the House of Peers was afterwards altered, and many of the Scottish nobility have, at various periods, been created peers of Great Britain.

But during the time while it remained binding, it produced a considerable change in the temper of

the Scottish peers, and brought them to form a closer union among themselves and with the commons. Influenced by these feelings of resentment, and by the energy of the Duke of Argyle, they bestirred themselves to resist the extension of the malt tax to Scotland.

This tax, which the Scots dreaded peculiarly, because it imposed upon their malt a duty equal to that levied in England, had been specially canvassed in the course of the treaty of Union; and it had finally been agreed that Scotland should not pay the tax during the continuance of the war. In point of strict right, the Scots had little to say, excepting that the peace with Spain was not yet proclaimed, which might have enabled them to claim a delay, but not an exemption from the imposition. In point of equity, there was more to be pleaded. The barley grown in Scotland, being raised on an inferior soil, is not, at least was not at the time of the Union, worth more than one-third or one-half of the intrinsic value of that raised on the fertile soil, and under the fine climate, of England. If, therefore, the same duty was to be laid on the same quantity as in South Britain, the poorer country would be taxed in a double or triple proportion to that which was better able to bear the burden. Two Scottish peers, the Duke of Argyle, and the Earl of Mar, and two commoners, Cockburn, younger of Ormiston, and Lockhart of Carnwath, a Whig and Tory of each house, were deputed to wait upon Queen Anne, and represent particularly, besides some other grievances, the dangerous discontents which

the imposition of a tax so unequal as that upon malt was likely to occasion in so poor a country as Scotland. This was stated to her majesty personally, who returned the answer ministers had put into her mouth[1]—"She was sorry," she said, "that her people of Scotland thought they had reason to complain; but she thought they drove their resentment too far, and wished they did not repent it."

The war, however, being ended by the peace of Utrecht, the English proposed to extend the obnoxious tax to Scotland. The debates in both Houses became very animated. The English testified some contempt for the poverty of Scotland, while the Scottish members, on the other hand, retorted fiercely, that the English took advantage of their great majority of numbers and privilege of place, to say more than, man to man, they would dare to answer. The Scottish peers in the Upper House maintained the cause of the country with equal vehemence. But the issue was, the duty was imposed, with a secret assurance on the part of Ministers that it was not to be exacted. This last indulgence was what Scotland, strictly speaking, was not entitled to look for, since her own Estates had previously conceded the question; and they had no right to expect from the British Parliament

[1] ["We accordingly set out," says Lockhart, "soon after the meeting, to Kensington, where the Queen then was, and though we made what haste we could, the Earl of Oxford, having been acquainted with the design, was got before us with the Queen, from whom coming out, as we were admitted, he told us he understood our errand, and that the Queen was prepared to give us an answer."—*Papers*, vol. i. p. 432.]

a boon, which their own, while making the bargain, had neglected to stipulate. But they felt they had been treated with haughtiness and want of courtesy in the course of the debate; and so great was their resentment, that in a general meeting of the forty-five Scottish members, they came to the resolution to move for the dissolution of the Union, as an experiment which had failed in the good effects it was expected to produce—which resolution was also adopted by the Scottish peers. It was supported by Scottish members of all parties, Whigs and Revolutionists, as well as Tories and Jacobites; and as all the English Whigs who, being in office, were so eager for the establishment of the Union, were now, when in opposition, as eager for its dissolution, its defence rested with the English Tories, by whom it had been originally opposed at every stage of its progress. This important treaty, which involved so much of national happiness, stood in danger of sharing the fate of a young fruit-tree, cut down by an ignorant gardener, because it bears no fruit in the season after it has been planted.

The motion for the dissolution of the Union was brought forward in the House of Lords by Lord Findlater and Seafield[1]—that very Lord Findlater and Seafield, who, being Chancellor of the Scottish Parliament by which the treaty was adjusted, signed the last adjourn-

1st June, 1713.

[1] ["His Lordship," says Lockhart, "was both well and ill pleased with this task; well pleased, because he hoped he might thereby take off part of that odium he lay under, for being so instrumental in promoting the Union; and ill pleased, because he

ment of his country's representatives with the jeering observation, that "there was an end of an old song." His lordship, with a considerable degree of embarrassment, arising from the recollection of his own inconsistency, had the assurance to move that this "old song" should be resumed, and the Union abolished, on account of the four following alleged grievances:—1. The abolition of the Privy Council of Scotland; 2. The introduction of the English law of High Treason; 3. The incapacity of Scottish peers to be called to Parliament as peers of Britain; 4. The imposition of the malt tax. None of these reasons of complaint vindicated Lord Findlater's proposition. 1. The abolition of the Privy Council was a boon rather than a grievance to Scotland, which that oppressive body had ruled with a rod of iron. 2. The English treason law was probably more severe in some particulars than that of Scotland, but it had the undeniable advantage of superior certainty and precision. 3. The incapacity of the Scottish peers was indeed an encroachment upon their privileges, but it was capable of being reversed, and has been reversed accordingly, without the necessity of destroying the Union. 4. If the malt tax was a grievance, it was one which the Scottish commissioners, and his lordship amongst others, had under their view during the progress of the treaty, and to which they had for-

would be obliged to unsay many things he had formerly advanced, and might perhaps offend the Ministry. On the other hand, other people were diverted by seeing his Lordship brought to this dilemma."—*Papers*, vol. i. p. 434.]

mally subjected their country, and were not, therefore, entitled to complain, as if something new or unexpected had happened, when the English availed themselves of a stipulation to which they themselves had consented.

The Duke of Argyle supported the motion for abrogating the Union, with far more energy than had been displayed by Lord Findlater. He declared, that when he advocated the treaty of Union, it was for the sole reason that he saw no other mode of securing the Protestant succession to the throne; he had changed his mind on that subject, and thought other remedies as capable of securing that great point. On the insults and injuries which had been unsparingly flung upon Scotland and Scotsmen, he spoke like a high-minded and high-spirited man; and to those who had hinted reproaches against him, as having deserted his party, he replied, that he scorned the imputations they threw out, as much as he despised their understanding.

This bold orator came nearest to speaking out the real cause of the universal discontent of the Scottish members, which was less the pressure of any actual grievance, than the sense of the habitually insulting and injurious manner in which they were treated by the English members, as if the representatives of some inferior and subjugated province.[1] But personal resentment, or offended na-

[1] ["The Earl of Peterborough compared the Union to a marriage. He said, that though England, who must be supposed the husband, might in some instances prove unkind to the lady, she ought not immediately to sue for a divorce; the rather because

tional pride, however powerful, ought not to have been admitted as reasons for altering a national enactment, which had been deliberately and seriously entered into; for the welfare of posterity is not to be sacrificed to the vindictive feelings of the present generation.

The debate on Lord Findlater's motion was very animated, and it was wonderful to see the energy with which the Tories defended that Union which they had opposed in every stage, while the Whigs, equally inconsistent, attempted to pull down the fabric which their own hands had been so active in rearing. The former, indeed, could plead, that, though they had not desired to have a treaty of Union, yet, such having been once made, and the ancient constitutions of both countries altered and accommodated to it, there was no inconsistency in their being more willing it should remain, than that the principles of the constitution should be rendered the subject of such frequent changes and tamperings. The inconsistency of the Whigs hardly admits of equal apology.

The division upon the question was so close, that

she had very much mended her fortune by the match. Flay replied, that marriage was an ordinance of God, and the Union no more than a political expedient. The other affirmed that the contract could not have been more solemn, unless, like the ten commandments, it had come from heaven: He inveighed against the Scots as a people that would never be satisfied; that would have all the advantages resulting from the Union, but would pay nothing by their good-will, although they had received more money from England than the amount of all their estates."—SMOLLETT, b. i. c. 11.]

it was rejected by a majority of *four* only; so nearly had that important treaty received its death-blow within six years after it was entered into.

Shortly after this hairbreadth escape, for such we may surely term it, another circumstance occurred, tending strongly to show with what sensitive jealousy the Scots of that day regarded any reflections on their country. The two great parties of Whig and Tory, the former forming the Opposition, and the latter the Ministerial party, besides their regular war in the House of Commons, had maintained a skirmishing warfare of pamphlets and lampoons, many of them written by persons of distinguished talent.

Of these, the celebrated Sir Richard Steele wrote a tract, called the *Crisis*, which was widely circulated by the Whigs. The still more able Jonathan Swift, the intimate friend and advocate of the existing ministers, published (but anonymously) a reply, entitled "The Public Spirit of the Whigs set forth, in their encouragement of the author of the Crisis."[1] It was a sarcastic, political lampoon against the Whigs and their champion, interspersed with bitter reflections upon the Duke of Argyle and his country.

[1] ["In *The Crisis*, the Union is pronounced to be sacred and inviolable. No blame is, however, thrown on the Scottish peers, who had moved for the dissolution. On the contrary, it is intimated, that it became the English, in generosity, to be more particularly careful in preserving the Union, since the Scotch had sacrificed their national independence, and left themselves in a state of comparative impotence of redressing their own wrongs." —SIR WALTER SCOTT, *Note, Swift's Works*, vol. iv. p. 221.]

In this composition, the author gives rein to his prejudices against the Scottish nation. He grudged that Scotland should have been admitted into commercial privileges, by means of this Union, from which Ireland was excluded. The natural mode of redressing this inequality, was certainly to put all the three nations on a similar footing. But as nothing of this kind seemed at that time practicable, Swift accused the Scots of affectation, in pretending to quarrel with the terms of a treaty which was so much in their favour, and supposes, that while carrying on a debate, under pretence of abrogating the Union, they were all the while in agony lest they should prove successful. Acute observer of men and motives as he was, Swift was in this instance mistaken. Less sharp-sighted than this celebrated author, and blinded by their own exasperated pride, the Scots were desirous of wreaking their revenge at the expense of a treaty which contained so many latent advantages, in the same manner as an intoxicated man vents his rage at the expense of valuable furniture or important papers. In the pamphlet which gave so much offence, Swift denounced the Union "as a project for which there could not possibly be assigned the least reason;" and he defied "any mortal to name one single advantage that England could ever expect from such a Union." The necessity, he justly, but offensively, imputes to the Scots refusing to settle the Crown on the line of Hanover, when, according to the satirist, it was thought "highly dangerous to leave that part of the island, inhabited by a poor,

fierce, northern people, at liberty to put themselves under a different king." He censures Godolphin highly for suffering the Act of Security to pass, by which the Scots assumed the privilege of universally arming themselves. "The Union, he allows, became necessary, because it might have cost England a year or two of war to reduce the Scots." In this admission, Swift pronounces the highest panegyric on the treaty, since the one or two years of hostilities might have only been the recommencement of that war, which had blazed inextinguishably for more than a thousand years.

The Duke of Argyle had been a friend, even a patron, of the satirist, but that was when he acted with Oxford and Bolingbroke, in the earlier part of the administration, at which time he gratified at once their party spirit and his own animosity, by attacking the Duke of Marlborough, and declining to join in the vote of thanks to that great general. While Argyle was in Spain, Swift had addressed a letter to him in that delicate style of flattery, of which he was as great a master as of every power of satirical sarcasm. But when the Duke returned to Britain, embittered against Ministers by their breach of promise to supply him with money and reinforcements, and declared himself the unrelenting opponent of them, their party, and their measures, Swift, their intimate confident and partisan, espoused their new quarrel, and exchanged the panegyrics of which the Duke had been the object for poignant satire. Of the number of the Scottish nobility, he talks as one of the great evils of

the Union, and asks if it were ever reckoned as an advantage to a man who was about to marry a woman much his inferior, and without a groat to her fortune, that she brought in her train a numerous retinue of retainers and dependents. He is supposed to have aimed particularly at the Duke of Argyle, and his brother, Lord Islay, in these words:—"I could point out some with great titles, who affected to appear very vigorous for dissolving the Union, although their whole revenue, before that period, would have ill maintained a Welsh justice of peace, and have since gathered more money than ever any Scotsman who had not travelled could form an idea of."

These shafts of satire against a body of men so sensitive and vindictive as the Scots had lately shown themselves, and directed also against a person of the Duke of Argyle's talents and consequence, were not likely, as the Ministers well knew, to be passed over lightly, either by those who felt aggrieved, or the numerous opposition party, who were sure to avail themselves of such an opportunity for pressing home a charge against Swift, whom all men believed to be the author of the tract, and under whose shafts they had suffered both as a party and as individuals. The Ministry therefore formed a plan to elude an attack, which might have been attended with evil consequences to so valued and valuable a partisan.

They were in the right to have premeditated a scheme of defence, or rather of evasion, for the accusation was taken up in the House of Lords by

the Earl of Wharton, a nobleman of high talent, and not less eager in the task, that the satirist had published a character of the Earl himself, drawn when Lord-lieutenant of Ireland, in which he was painted in the most detestable colours. Wharton made a motion, concluding that the honour of the House was concerned in discovering the villanous author of so false and scandalous a libel, that justice might be done to the Scottish nation.[1] The Lord Treasurer Oxford disclaimed all knowledge of the author, and readily concurred in an order for taking into custody the publisher and printer of the pamphlet complained of. On the next day, the Earl of Mar informed the House, that he, as Secretary of State, had raised a prosecution in his Majesty's name against John Barber. This course was intended, and had the effect, to screen Swift; for, when the printer was himself made the object of a prosecution, he could not be used as an evidence against the author, whom, and not the printer or publisher, it was the purpose of the Whigs to prosecute. Enraged at being deprived of their prey, the House of Peers addressed the Queen, stating the atrocity of the libel, and beseeching her Majesty to issue a proclamation offering a reward for the discovery of the author. The Duke of Argyle

[1] ["It was not the least remarkable circumstance, that, while the violence of party was levelled against Swift in the House of Peers, no less injustice was done to his adversary, Steele, by the Commons, who expelled him from their House for writing the *Crisis*, that very pamphlet which called forth Swift's answer."—SIR WALTER SCOTT, Note, *Swift's Works*, vol. iv. p. 222.]

and the Scottish Lords, who would have perhaps acted with a truer sense of dignity, had they passed over such calumnies with contempt, pressed their address on the Queen by personal remonstrance, and a reward of three hundred pounds was offered for the discovery of the writer.[1]

Every one knew Swift to be the person aimed at as the author of the offensive tract. But he remained, nevertheless, safe from legal detection.

Thus I have given you an account of some, though not of the whole debates, which the Union was, in its operation, the means of exciting in the first British Parliament. The narrative affords a melancholy proof of the errors into which the wisest and best statesmen are hurried, when, instead of considering important public measures calmly and dispassionately, they regard them in the erroneous light in which they are presented by personal feel-

[1] [In his "Political Poetry—The Author upon himself," Swift says,

> The Queen incensed, his services forgot,
> Leaves him a victim to the vengeful Scot.
> Now through the realm a proclamation spread,
> To fix a price on his devoted head.
> While innocent, he scorns ignoble flight;
> His watchful friends preserve him by *a sleight.*
> *Works*, vol. xii. p. 317.

"It appears, however," says Sir Walter Scott, "that Swift did meditate a flight in case discovery had taken place. In the letter to his friend in Ireland about renewing his license of absence, dated 29th July, 1714, he says, 'I was very near wanting it some months ago with a witness,' which can only allude to the possibility of his being obliged to abscond."—Note, *Life of Swift*, p. 167.]

ing and party prejudices. Men do not in the latter case ask, whether the public will be benefited or injured by the enactment under consideration, but whether their own party will reap most advantage by defending or opposing it.

CHAPTER LXIV.

Influence of the Duchess of Marlborough over Queen Anne —Trial of Doctor Sacheverel—Unpopularity of the Whigs—their Dismissal—Accession of Harley and the Tory Party to Power—Peace of Utrecht—Plan of the Queen for bringing in her Brother as Successor to the Throne—Proceedings of the Faculty of Advocates at Edinburgh on being presented with a Medal of the Chevalier—Intrigues of Bolingbroke—Duel between the Duke of Hamilton and Lord Mohun—Mission of Bolingbroke to Paris.

[*Retrospect*, 1708—1713.]

In my last Chapter I detailed to you the consequences of the Union, and told you how the unfair, unkind, and disparaging reception which the English afforded to the Scottish members in the Houses of Lords and Commons, although treating them in their private capacities with every species of kindness, had very nearly occasioned the breach of the treaty. I must now retrace the same ground, to give you a more distinct idea how Britain stood in general politics, independent of the frequent and fretful bickerings between England and Scotland in the British Parliament.

King William, as I have already told you, died in 1701, little lamented by his subjects, for though a man of great ability, he was too cold and phlegmatic to inspire affection, and besides he was a foreigner. In Scotland his memory was little reverenced by any party. The Highlanders remembered Glencoe, the Lowlanders could not forget Darien; the Episcopalians resented the destruction of their hierarchy, the Presbyterians discovered in his measures something of Erastianism, that is, a purpose of subjecting the Church to the State.

Queen Anne, therefore, succeeded to her brother-in-law, to the general satisfaction of her subjects. Her qualities, too, were such as gained for her attachment and esteem. She was a good wife, a most affectionate mother, a kind mistress, and, to add to her domestic virtues, a most confiding and faithful friend.

The object of her attachment in this latter capacity was Lady Churchill, who had been about her person from a very early period. This woman was, so high-spirited, haughty, and assuming, that even her husband (afterwards the celebrated Duke of Marlborough), the conqueror in so many battles, frequently came off less than victorious in any domestic dispute with her. To this lady, Anne, for several years before her succession to the crown, had been accustomed in a great measure to yield up her own opinions. She left the house of her father, James II., and mingled in the Revolution at the instance of Lady Churchill. At her acces-

sion Queen Anne was rather partial to the Tories, both from regarding their principles as more favourable to monarchy, and because, though the love of power, superior to most other feelings, might induce her to take possession of the throne, which by hereditary descent ought to have been that of her father or brother, yet she still felt the ties of family affection, and was attached to that class of politicians who regarded the exiled family with compassion, at least, if not with favour. All these, Queen Anne's own natural wishes and predilections, were overborne by her deference to her favourite's desires and interest. Their intimacy had assumed so close and confidential a character, that she insisted that her friend should lay aside all the distinctions of royalty in addressing her, and they corresponded together in terms of the utmost equality, the sovereign assuming the name of Morley, the servant that of Freeman, which Lady Churchill, now Countess of Marlborough, chose as expressive of the frankness of her own temper. Sunderland and Godolphin were ministers of unquestionable talent, who carried on with perseverance and skill the scheme formed by King William for defending the liberties of Europe against the encroachments of France. But Queen Anne reposed her confidence in them chiefly because they were closely connected with Mrs Freeman and her husband. Now, this species of arrangement, my dear boy, was just such a childish whim as when you and your little brother get into a basket, and play at sailing down to A——, to

see grandpapa. A sovereign cannot enjoy the sort of friendship which subsists between equals, for he cannot have equals with whom to form such a union; and every attempt to play at make-believe intimacy commonly ends in the royal person's being secretly guided and influenced by the flattery and assentation of an artful and smooth-tongued parasite, or tyrannized over by the ascendance of a haughtier and higher mind than his own. The husband of Queen Anne, Prince George of Denmark, might have broken off this extreme familiarity between his wife and her haughty favourite; but he was a quiet, good, humane man, meddling with nothing, and apparently considering himself as unfit for public affairs, which agreed with the opinion entertained of him by others.

The death of Queen Anne's son and heir, the Duke of Gloucester, the sole survivor of a numerous family, by depriving her of the last object of domestic affection, seemed to render the Queen's extreme attachment to her friend more direct, and Lady Marlborough's influence became universal. The war which was continued against the French, had the most brilliant success, and the general was loaded with honours;[1] but the Queen favoured

[1] [The offices and emoluments enjoyed by the Duke of Marlborough at this period are rated at L.54,825, those of the duchess at L.9500 per annum. "A profusion of kindness, which was rather an evidence of the weakness than the generosity of the Queen," says Dr Somerville, "served only to inflame the avarice and multiply the demands of her rapacious dependent. Presents, honours, offices, were accumulated upon her and her husband beyond any precedent of royal munificence. The relations,

Marlborough less because he was the most accomplished and successful general at that time in the world, than as the husband of her affectionate *Mrs Freeman*. In short, the affairs of England, at all times so influential in Europe, turned altogether upon the private friendship between *Mrs Freeman* and *Mrs Morley*.

At the moment when it seemed most completely secure, this intimacy was overthrown by the influence of a petty intrigue in the Queen's family. The Duchess of Marlborough, otherwise Mrs Freeman, had used the power with which her mistress's partiality had invested her, far too roughly. She was avaricious and imperious in her demands, careless, and even insolent in her conduct towards the Queen herself. For some time this was endured as an exercise of that frank privilege of equality with which her Majesty's friendship had invested her. For a much longer space it may be supposed, the Queen tolerated her caprice and insolence, partly because she was afraid of her violent temper, partly because she was ashamed to break off the romantic engagement which she had herself formed. She was not, however, the less impatient of the Duchess of Marlborough's yoke, or less watchful of an opportunity to cast it off.

The Duchess had introduced among the Queen's attendants, in the capacity of what was called a dresser, a young lady of good birth, named Abigail Hill,

the dependents, the favourites of the favourite, were preferred in every competition."—*History of Britain during the Reign of Queen Anne*, p. 259.]

a kinswoman of her own. She was the reverse of the Duchess in her temper, being good-humoured, lively, and, from disposition and policy, willing to please her mistress in every manner possible. She attracted by degrees first the Queen's favour, and at length her confidence; so that Anne sought, in the solicitous attentions and counsels of her new friend, consolation from the rudeness with which the Duchess treated her both in private and public life. The progress of this intimacy was closely watched by Harley, a statesman of talents, and hitherto professing the principles of the Whigs. He had been repeatedly Speaker of the House of Commons, and was Secretary of State in the existing Whig administration. But he was ambitious of higher rank in the cabinet, being conscious of superior talents, and he caballed against the Duchess of Marlborough, in consequence of her having repulsed his civilities towards her with her usual insolence of manner. The partner of Harley's counsels was Mr Henry St John (afterwards Lord Bolingbroke), a young man of the most distinguished abilities, and who subsequently made a great figure both in politics and in literature.

Harley lost no time in making advances to intimacy with the new favourite; and as he claimed some kindred with Miss Hill's family, this was easily accomplished. This lady's interest with the Queen was now so great, that she was able to procure her cousin private audiences with the Queen, who, accustomed to the harshness of the Duchess of Marlborough, whose tone of authority had been

adopted by the Whig Ministers of the higher class, was soothed by the more respectful deportment of these new counsellors. Harley was more submissive and deferential in his manners, and conducted himself with an attention to the Queen's wishes and opinions, to which she had been hitherto little accustomed. It was undoubtedly his purpose to use the influence thus acquired, to the destruction of Godolphin's authority, and to accomplish his own rise to the office of first Minister. But his attempt did not succeed in the first instance. His secret intrigues and private interviews with the Sovereign were prematurely discovered, and Harley and his friends were compelled to resign their offices; so that the Whig administration seemed more deeply rooted than ever.

About the same time, Miss Hill was secretly married to Mr Masham; a match which gave great offence to the Duchess of Marlborough, who was beginning to feel that her relation had superseded her in her mistress's affections. As this high-tempered lady found the Queen's confidence was transferred from her, she endeavoured to maintain her ascendency by threats and intimidation, and was for a time successful in ruling the mind of her late friend by means of fear, as she did formerly by affection. But a false step of the Whig administration enabled Queen Anne at last to shake off this intolerable bondage.

A silly and hot-headed clergyman, named Sacheverel, had preached and printed a political ser-

mon,[1] in which he maintained high Tory principles, and railed at Godolphin, the Lord High Treasurer, and head of Queen Anne's Administration, whom he termed Volpone, after an odious character so named in one of Ben Jonson's Plays. The great majority of the landed gentlemen of England were then addicted to Tory principles, and those of the High Church. So bold and daring a sermon, though it had no merit but its audacity to recommend it, procured immense popularity amongst them. The Ministers were incensed beyond becoming moderation. The House of Commons impeached the preacher before the tribunal of the House of Lords, and his trial came before the Peers on 27th February, 1710. The utmost degree of publicity was given to it, by the efforts of the Whigs to obtain Doctor Sacheverel's conviction and a severe sentence, and by the corresponding exertions of the Tories to screen him from punishment. The multitude took up the cry of High Church and Sacheverel, with which they beset the different members of both Houses as they went down to Parliament. The trial, which lasted three weeks, excited public attention, in a degree hitherto almost unknown. The Queen herself attended almost every day, and her sedan chair was surrounded by crowds, shouting, "God bless the Queen and Doctor Sacheverel! we hope your Majesty is for High Church and Sacheverel." The mob arose,

[1] [The text was in these words of St Paul, "Perils from false brethren."]

and exhibited their furious zeal for the church by destroying the chapels and meeting-houses of dissenters, and committing similar acts of violence.

The consequence was, that the Doctor was found guilty indeed by the House of Peers, but escaped with being suspended from preaching for three years; a sentence so slight,[1] that it was regarded by the accused and his friends as an acquittal, and they triumphed accordingly. Bonfires, illuminations, and other marks of rejoicing appeared in celebrating of the victory.

As these manifestations of the public sentiment were not confined to the capital, but extended over all England, they made evident the unpopularity of the Whig government, and encouraged the Queen to put in execution the plan she had long proposed to herself, of changing her Ministry, and endeavouring to negotiate a peace, and terminate the war, which seemed to be protracted without end. Anne, by this change of government and system, desired also to secure the church, which her old prejudices taught her to believe was in danger—and, above all, to get rid of the tyranny of her former friend, Mrs Freeman. A new Ad-

[1] ["The Ministry," says Lockhart, "could not prevail in having the punishment half so high as they designed and expected; for the Queen having interposed therein, influenced several of the Lords to be tender in that point, which highly enraged the Ministry, who designed nothing less than the pillory, and being whipt at a cart from the Royal Exchange to Charing-Cross, besides a severe fine, long imprisonment, and deprivation of his livings, with an incapacity of any preferment in the church for the future."—*Papers*, vol. i. p. 313.]

ministration, therefore, was formed under Harley and St John, who, being supported by the Tory interest, were chiefly, if not exclusively, governed by Tory principles. At the same time, the Duchess of Marlborough was deprived of all her offices about the Queen's person, and disgraced, as it is termed, at court, that is, dismissed from favour and employment. Her husband's services could not be dispensed with so easily; for while the British army were employed, no general could supply the place of Marlborough, who had so often led them to victory.[1] But the Tory Ministers endeavoured to lower him in the eyes of the public, by an investigation into certain indirect emoluments taken in his character as general-in-chief, and to get rid of the indispensable necessity of his military services, by entering into negotiations for peace.

[1] ["It is to his wife the Duchess," says Dean Swift, "the Duke is chiefly indebted for his greatness and his fall; for about twenty years she possessed, without a rival, the favours of the most indulgent mistress in the world, nor ever missed one single opportunity that fell in her way of improving it to her own advantage. She has preserved a tolerable court reputation, with respect to love and gallantry; but three Furies reigned in her breast, the most mortal enemies of all softer passions, which were sordid Avarice, disdainful Pride, and ungovernable Rage; by the last of these often breaking out in sallies of the most unpardonable sort, she had long alienated her Sovereign's mind, before it appeared to the world. This lady is not without some degree of wit, and has in her time affected the character of it, by the usual method of arguing against religion, and proving the doctrines of Christianity to be impossible and absurd. Imagine what such a spirit, irritated by the loss of power, favour, and employment, is capable of acting or attempting; and then I have said enough."—*Hist. of the four last years of the Queen*, *Works*, vol. v. pp. 26, 27.]

The French Government saw and availed themselves of the situation in which that of Britain was placed. They perceived that peace was absolutely necessary to Oxford and Bolingbroke's existence as ministers, even more so than it was to France as a nation, though her frontiers had been invaded, her armies repeatedly defeated, and even her capital to a certain degree exposed to insult. The consequence was, that the French rose in their terms, and the peace of Utrecht, after much negotiation, was at length concluded, on conditions which, as they respected the allies, and the British nation in particular, were very much disproportioned to the brilliant successes of the war.

That article of the treaty, which was supposed by all friends of Revolution principles to be most essential to the independence and internal peace of Great Britain, seemed indeed to have been adjusted with some care. The King of France acknowledged, with all formality, the right of Queen Anne to the throne, guaranteed the Act of Succession settling it upon the House of Hanover, and agreed to expel from his territories the unfortunate son of James II. This was done accordingly. Yet notwithstanding that the Chevalier de St George was compelled to remove from the territories of his father's ally, who, on James's death, had formally proclaimed him King of England, the unhappy Prince had perhaps at the moment of his expulsion more solid hopes of being restored to his father's throne, than any which the favour of Louis

could have afforded him. This will appear from the following considerations.

Queen Anne, as we have already stated, was attached to the High Church establishment and clergy; and the principles with which these were embued, if not universally Jacobitical, were at least strongly tinctured with a respect for hereditary right. These doctrines could not be supposed to be very unpleasing to the Queen herself, as a woman or as a sovereign, and there were circumstances in her life which made her more ready to admit them. We have already said, that the part which Anne had taken at the Revolution, by withdrawing from her father's house, had been determined by the influence of Lady Churchhill, who was now, as Duchess of Marlborough, the object of the Queen's hatred, as much as ever she had been that of her affection in the character of Mrs Freeman, and her opinions and the steps which they had led to, were not probably recollected with much complacency. The desertion of a father, also, however coloured over with political argument, is likely to become towards the close of life a subject of anxious reflection. There is little doubt that the Queen entertained remorse on account of her filial disobedience; more especially, when the early death of her children, and finally that of a hopeful young prince, the Duke of Glocester, deprived her of all chance of leaving the kingdom to an heir of her own. These deprivations seemed an appropriate punishment to the disobedient daughter, who

had been permitted to assume for a time her father's crown, but not to transmit it to her heirs. As the Queen's health became broken and infirm, it was natural that these compunctious thoughts should become still more engrossing, and that she should feel no pleasure in contemplating the prospect which called the Prince of Hanover, a distant relation, to reign over England at her decease; or that she should regard with aversion, almost approaching to horror, a proposal of the Whig party, to invite the Electoral Prince to visit Britain, the crown of which was to devolve upon him after the decease of its present possessor. On the other hand, the condition of the Chevalier de St George, the Queen's brother, the only surviving male of her family, a person whose restoration to the crown of his fathers might be the work of her own hand, was likely to affect the Queen with compassionate interest, and seemed to afford her at the same time an opportunity of redressing such wrongs as she might conceive were done to her father, by making large though late amends to his son.

Actuated by motives so natural, there is little doubt that Queen Anne, so soon as she had freed herself from the control of the Duchess of Marlborough, began to turn her mind towards fixing the succession of the crown on her brother, the Chevalier de St George, after her own death, to the prejudice of the act which settled it on the Electoral Prince of Hanover. And she might be the more encouraged to nourish some hopes of success, since a great portion of her subjects of the

Three Kingdoms were Jacobites upon principle, and others had but a short step to make from the extremity of Tory sentiments to those which were directly favourable to the House of Stewart. Ireland, the last portion of the British dominions which adhered to King James the Second, could not be supposed indifferent to the restoration of his son. In England, a very great proportion of the High Church clergy, the Universities, and the Tory interest, which prevailed among the country gentlemen, entertained the same bias, and were at little pains to conceal it. In Scotland men were still bolder in avowing their opinions, of which there occurred the following instance.

The Faculty of Advocates in Scotland, that is to say, the incorporated society of lawyers entitled to practise at the bar, are a body even of more weight and consequence than is attached to them in most countries from the nature of their profession. In the beginning of the 18th century, especially, the Faculty comprehended almost all the sons of good family who did not embrace the army as their choice; for the sword or gown, according to the ideas of that time, were the only occupations which could be adopted by a gentleman. The Advocates are possessed of a noble library, and a valuable collection of medals. To this learned body, Elizabeth, Duchess of Gordon (by birth, a daughter of the noble house of Howard, and a keen Jacobite), sent the present of a medal for their cabinet. It bore on the one side the head of the Chevalier de St George, with the motto, *Cujus est?*

(Whom does it represent?) and on the reverse the British Isles, with the legend, *Reddite* (Restore them). The Dean of Faculty having presented this very intelligible emblem to his brethren, a debate arose, whether or not it should be received into their collection, which was carried on in very warm language,[1] and terminated in a vote, which, by a majority of sixty-three to twelve, resolved on the acceptance of the medal. Two advocates were deputed to express, in the name of the learned body, their thanks to the Duchess; and they failed not to do it in a manner expressing pointedly their

[1] [It was moved that the medal should be returned to her Grace, as their receiving it implied insult to the government. "Oliver Cromwell, who deserved to be hanged," said Mr Robert Fraser, "his medal, and the arms of the Commonwealth of England, had been received, and why not this?"—"When the Pretender is hanged," said Mr Duncan Forbes, "it will be time enough to receive the medal." In which opinion Sir James Stewart of Goodtrees, and others coinciding, Mr Dundas of Arniston rose in great wrath, and replied, "Dean of Faculty, whatever these gentlemen may say of their loyalty, I think they affront the Queen whom they pretend to honour, in disgracing her brother, who is not only a prince of the blood, but the first thereof; and if blood can give any right, he is our undoubted sovereign. I think, too, they call her Majesty's title in question, which is not our business to determine. Medals are the documents of history, to which all historians refer; and therefore, though I should give King William's stamp, with the devil at his right ear, I see not how it could be refused, seeing one hundred years hence, it would prove that such a coin had been in England. But what needs further speeches! None oppose the receiving the medal and returning thanks to her Grace, but a few pitiful scoundrel vermin and mushrooms, not worthy our notice. Let us therefore proceed to name some of our number to return our hearty thanks to the Duchess of Gordon."—TINDAL'S *Continuation of Rapin's History*, vol. i., folio, p. 630.]

full comprehension of the import of her Grace's compliment. They concluded, by stating their hope, that her Grace would soon have a farther opportunity to oblige the Faculty, by presenting them with a second medal on the subject of a restoration. But when the proceeding became public, the Advocates seem to have been alarmed for the consequences, and at a general meeting of the Faculty (27th July, 1711), the medal was formally refused, and placed in the hands of the Lord Advocate, to be restored to the Duchess of Gordon. The retractation, however, could not efface the evidence, that this learned and important public body, the commentators on the laws of Scotland, from whom the guardians of her jurisprudence are selected, had shown such boldness as to give a public mark of adherence to the Chevalier de St George. It was also remarked, that the Jacobite interest predominated in many of the Scottish elections.

While the Queen saw a large party among her subjects in each kingdom well disposed to her brother's succession, one at least of her ministers was found audacious enough to contemplate the same measure, though in doing so, he might be construed into impeaching his mistress's own right to the sovereign authority. This was Henry St John, created Lord Viscount Bolingbroke. He was a person of lively genius and brilliant parts—a scholar, an orator, and a philosopher. There was a reverse to the fair side of the picture. Bolingbroke was dissipated in private life, daringly scep-

tical in theological speculation, and when his quick perception showed him a chance of rising, he does not appear to have been extremely scrupulous concerning the path which he trode, so that it led to power. In the beginning of his career as a public man he attached himself to Harley; and when that statesman retired from the Whig Administration, in 1708, St John shared his disgrace, and lost the situation of Secretary at War. On the triumph of the Tories, in 1710, when Harley was made Prime Minister, St John was named Secretary of State. Prosperity, however, dissolved the friendship which had withstood the attacks of adversity; and it was soon observed that there was a difference of opinion as well as character between the Premier and his colleague.

Harley, afterwards created Earl of Oxford, was a man of a dark and reserved character—slow, timid, and doubtful, both in counsel and action, and apparently one of those statesmen who affect to govern by balancing the scales betwixt two contending factions, until at length they finally become the objects of suspicion and animosity to both. He had been bred a Whig, and although circumstances had disposed him to join, and even to head, the Tories, he was reluctantly induced to take any of the violent party measures which they expected at his hand, and seems, in return, never to have possessed their full confidence or unhesitating support. However far Oxford adopted the principles of Toryism, he stopped short of their utmost extent, and was one of the political sect then called *Whim-*

sicals, who were supposed not to know their own minds, because they avowed principles of hereditary right, and at the same time desired the succession of the line of Hanover. In evidence of his belonging to this class of politicians, it was remarked that he sent his brother, Mr Harley, to the court of Hanover, and through him affected to maintain a close intercourse with the Elector, and expressed much zeal for the Protestant line of succession.

All this mystery and indecision was contrary to the rapid and fiery genius of St John, who felt that he was not admitted into the private and ultimate views of the colleague with whom he had suffered adversity. He was disgusted, too, that Harley should be advanced to the rank of an earl, while he himself was only created a viscount. His former friendship and respect for Oxford was gradually changed to coldness, enmity, and hatred, and he began, with much art, and a temporary degree of success, to prepare a revolution in the state, which he designed should end in Oxford's disgrace, and his own elevation to the supreme authority. He entered with zeal into the ulterior designs of the most extravagant Tories, and, in order to recommend himself to the Queen, did not, it is believed, spare to mingle in intrigues for the benefit of her exiled brother.

It was remarked, that the Chevalier de St George, when obliged to leave France, found refuge in the territories of the Duke of Lorraine; and that petty German Prince had the boldness to refuse an appli-

cation of the British Government, for the removal of his guest from his dominions. It was believed that the Duke dared not have acted thus unless he had had some private assurance that the application was only made for an ostensible purpose, and that the Queen did not, in reality, desire to deprive her brother of this place of refuge. Other circumstances led to the same conclusion, that Anne and her new ministers favoured the Jacobite interest.

It is more than probable that the Duke of Hamilton, whom we have so often mentioned, was to have been deeply engaged in some transactions with the French court, of the most delicate nature, when, in 1713, he was named ambassador extraordinary to Paris; and there can be little doubt that they regarded the restoration of the line of Stewart. The unfortunate nobleman hinted this to his friend, Lockhart of Carnwath, when, parting with him for the last time, he turned back to embrace him again and again, as one who was impressed with the consciousness of some weighty trust, perhaps with a prescient sense of approaching calamity. Misfortune, indeed, was hovering over him, and of a strange and bloody character. Having a lawsuit with Lord Mohun,[1] a nobleman of debauched and profligate manners, whose greatest achievement was

[1] ["His Grace, and Lord Mohun, had married two nieces of Charles, Earl of Macclesfield, and for several years had been engaged in a Chancery suit for part of his estate, which created much animosity, inflamed by their espousing different sides in Parliament."—Wood's *Peerage*, vol. i. p. 718.]

having, a few years before, stabbed a poor play-actor, in a drunken frolic, the Duke of Hamilton held a meeting with his adversary, in the hope of adjusting their dispute. In this conference, the Duke, speaking of an agent in the case, said the person in question had neither truth nor honour, to which Lord Mohun replied he had as much of both qualities as his Grace. They parted on the exchange of these words. One would have thought that the offence received lay on the Duke's side, and that it was he who was called upon to resent what had passed, in case he should think it worth his while. Lord Mohun, however, who gave the affront, contrary to the practice in such cases, also gave the challenge. They met at the Ring in Hyde Park, where they fought with swords, and in a few minutes Lord Mohun was killed on the spot; and the Duke of Hamilton, mortally wounded, did not survive him for a longer space. Mohun, who was an odious and contemptible libertine, was regretted by no one; but it was far different with the Duke of Hamilton, who, notwithstanding a degree of irresolution which he displayed in politics, his understanding, perhaps, not approving the lengths to which his feelings might have carried him, had many amiable, and even noble qualities, which made him generally lamented. The Tories considered the death of the Duke of Hamilton as so peculiar, and the period when it happened as so critical, that they did not hesitate to avow a confident belief that Lord Mohun had been pushed to

sending the challenge by some zealots of the Whig party,[1] and even to add, that the Duke fell, not by the sword of his antagonist, but by that of General Macartney, Lord Mohun's second. The evidence of Colonel Hamilton, second to the Duke, went far to establish the last proposition; and General Macartney, seeing, perhaps, that the public prejudice was extreme against him, absconded, and a reward was offered for his discovery. In the subsequent reign, he was brought to trial, and acquitted, on evidence which leaves the case far from a clear one.

The death of the Duke of Hamilton, however, whether caused by political resentment or private hatred, did not interrupt the schemes formed for the restoration of the Stewart family. Lord Bolingbroke himself went on a mission to Paris, and it appears highly probable he then settled secret articles explanatory of those points of the Utrecht treaty, which had relation to the expulsion of the Pretender from the dominions of France, and the disclamation of his right of succession to the crown of Britain. It is probable, also, that these remained concealed from the Premier Oxford, to whose views in favour of the Hanoverian succession they were distinctly opposed.

Such being the temper of the Government of

[1] ["Macartney and two or three more of that gang never left him (Mohun), from the time that he was with the Duke, till the duel was fought, keeping him (as was deposed [deponed] by the evidences) flushed with wine during all that time, which was two nights and a day and a half, and calling upon him, when he took fits of being grave and melancholy, to cheer up, take the other glass, and not be afraid."—LOCKHART *Papers*, vol. i. p. 404.]

England, divided, as it was, betwixt the dubious conduct of Lord Oxford, and the more secret, but bolder and decided intrigues of Bolingbroke, the general measures which were adopted with respect to Scotland indicated a decided bias to the Jacobite interest, and those by whom it was supported.

CHAPTER LXV.

Persecution of the Scottish Episcopalians by the Presbyterians—Act of Toleration—Abjuration Oath—Law of Patronage—Pensions given to the Highland Chiefs to preserve their attachment to the Jacobite interest—Preparations of the Whigs to secure the succession of the House of Hanover—Quarrel between Oxford and Bolingbroke—Death of Queen Anne.

[*Retrospect*—1714.]

THE Presbyterians of Scotland had been placed by the Revolution in exclusive possession of the Church government of that kingdom. But a considerable proportion of the country, particularly in the more northern shires, remained attached to the Episcopal establishment and its forms of worship. These, however, were objects of enmity and fear to the Church of Scotland, whose representatives and adherents exerted themselves to suppress, by every means in their power, the exercise of the Episcopal mode of worship, forgetful of the complaints which they themselves had so justly made concerning the violation of the liberty of conscience during the reigns of Charles II. and James II. We must here remark, that the Episcopal Church of Scotland had, in its ancient and triumphant state,

retained some very slight and formal differences, which distinguished their book of Common Prayer from that which is used in the Church of England. But in their present distressed and disconsolate condition, many of them had become content to resign these points of distinction, and, by conforming exactly to the English ritual, endeavoured to obtain a freedom of worship as Episcopalians in Scotland, similar to the indulgence which was granted to those professing Presbyterian principles, and other Protestant dissenters in England. The Presbyterian Church Courts, however, summoned such Episcopal preachers before them, and prohibited them from exercising their ministry, under the penalty of fine and imprisonment, which, in the case of one person (the Rev. Mr Greenshields), was inflicted with no sparing hand.[1] Others were insulted and ill-used by the multitude, in any attempt which they made to exercise their form of worship. This was the more indefensible, as some of these reverend persons joined in prayer for the Revolution establishment; and whatever conjecture might be formed concerning the probability of their attachment to the exiled family, they had laid aside every peculiarity on which their present mode of worship could be objected to as inferring Jacobitism.

An Act of Toleration was therefore most justly and rightfully passed (February, 1712) by Parliament, for the toleration of all such Episcopal clergy-

[1] [This gentleman's chapel was shut up, and himself incarcerated for some time.]

men using the Church of England service, as should be disposed to take the Oath of Abjuration, renouncing all adherence to the cause of James II. or his descendant, the existing Pretender. This toleration gave great offence to the Presbyterian clergy, since it was taking out of their hands a means, as they alleged, of enforcing uniformity of worship, which, they pretended, had been insured to them at the Revolution. Every allowance is justly to be made for jealousies and apprehensions, which severe persecution had taught the ministers of the Scottish Church to entertain; but impartial history shows us how dangerous a matter it is to intrust the judicatures of any church with the power of tyrannizing over the consciences of those who have adopted different forms of worship, and how wise as well as just it is to restrict their authority to the regulation of their own establishment.

The Presbyterian Church was still more offended by the introduction of a clause into this Act of Toleration, obliging the members of their own church, as well as dissenters from their mode of worship, to take the Oath of Abjuration. This clause has been inserted into the Act as it passed the House of Commons, on the motion of the Tories, who alleged that the ministers of the Kirk of Scotland ought to give the same security for their fidelity to the Queen and Protestant succession, which was to be exacted from the Episcopalians. The Scottish Presbyterians complained bitterly of this application of the Oath of Abjuration to themselves. They contended that it was unnecessary, as no one

could suspect the Church of Scotland of the least tendency towards Jacobitism, and that it was an usurpation of the State over the Church, to impose by statute law an oath on the ministers of the Church, whom, in religious matters, they considered as bound only by the Acts of their General Assembly. Notwithstanding their angry remonstrances, the Oath of Abjuration was imposed on them by the same act which decreed the tolerance of the Episcopal form of worship on a similar condition.

The greater number of the Presbyterian ministers did at length take the oath, but many continued to be recusants, and suffered nothing in consequence, as the Government overlooked their non-compliance. There can be little doubt that this clause, which seems otherwise a useless tampering with the rooted opinions of the Presbyterians, was intended for a double purpose. First, it was likely to create a schism in the Scottish Church, between those who might take, and those who might refuse the oath, which, as dividing the opinions, was likely to diminish the authority, and affect the respectability, of a body zealous for the Protestant succession. Secondly, it was foreseen that the great majority of the Episcopal clergy in Scotland avowedly attached to the exiled family, would not take the Oath of Abjuration, and were likely on that account to be interrupted by the Presbyterians of the country where they exercised their functions. But if a number of the Presbyterian clergy themselves were rendered liable to the same charge for the same omission, and only in-

debted for their impunity to the connivance of the Government, it was not likely they would disturb others upon grounds which might be objected to themselves. The expedient was successful; for though it was said that only one Episcopal minister in Scotland, Mr Cockburn of Glasgow, took the Oath of Abjuration, yet no prosecutions followed their recusancy, because a large portion of the ministers of the Kirk would have been liable to vexation on the same account.

Another act of the same session of Parliament, which restored to patrons, as they were called, the right of presenting clergymen to vacant churches in Scotland, seemed calculated, and was probably designed, to render the churchmen more dependent on the aristocracy, and to separate them in some degree from their congregations, who could not be supposed to be equally attached to, or influenced by a minister who held his living by the gift of a great man, as by one who was chosen by their own free voice. Each mode of election is subject to its own particular disadvantages. The necessity imposed on the clergyman who is desirous of preferment, of suiting his style of preaching to the popular taste, together with the indecent heats and intrigues which attend popular elections, are serious objections to permitting the flock to have the choice of their shepherd. At the same time, the right of patronage is apt to be abused in particular instances, where persons of loose morals, slender abilities, or depraved doctrine, may be imposed, by the fiat of an unconscientious individual,

upon a congregation who are unwilling to receive him. But as the Presbyterian clergy possess the power of examination and rejection, subject to an appeal to the superior church courts, whatever may be thought of the law of patronage in theory, it has not, during the lapse of more than a century, had any effect in practice detrimental to the respectability of the Church of Scotland. There is no doubt, however, that the restoration of the right of lay patrons in Queen Anne's time was designed to separate the ministers of the Kirk from the people, and to render them more dependent on the nobility and gentry, amongst whom, much more than the common people, the sentiments of Jacobitism predominated.

These measures, though all of them indirectly tending to favour the Tory party, which might, in Scotland, be generally termed that of the Stewart family, had yet other motives which might be plausibly alleged for their adoption.

Whatever might be the number and importance of the Lowland gentry in Scotland, who were attached to the cause of the Chevalier de St George, and that number was certainly very considerable, the altered circumstances of the country had so much restricted their authority over the inferior classes, that they could no longer reckon upon raising any considerable number of men by their own influence, nor had they, since the repeal of the Act of Security, the power of mustering or disciplining their followers, so as to render them fit for military service. It was not to be expected that, with the

aid of such members of their family, domestics, or dependents, as might join them in any insurrection, they could do more than equip a few squadrons of horse, and even if they could have found men, they were generally deficient in arms, horses, and the means of taking the field.

The Highland clans were in a different state; they were as much under the command of their superior chiefs and chieftains as ever they had been during the earlier part of their history; and, separated from civilisation by the wildernesses in which they lived, they spoke the language, wore the dress, submitted to the government, and wielded the arms of their fathers. It is true, that clan wars were not now practised on the former great scale, and that two or three small garrisons of soldiers quartered amongst them put some stop to their predatory incursions. The superior chieftains and tacksmen, more especially the *duinhé wassals*, or dependent gentlemen of the tribe, were in no degree superior in knowledge to the common clansmen. The high chiefs, or heads of the considerable clans, were in a very different situation. They were almost all men of good education, and polite manners, and when in Lowland dress and Lowland society, were scarce to be distinguished from other gentlemen, excepting by an assumption of consequence, the natural companion of conscious authority. They often travelled abroad, and sometimes entered the military service, looking always forward to the time when their swords should be required in the cause of the Stewarts, to whom

they were in general extremely attached; though in the West Highlands the great influence of the Duke of Argyle, and in the North that of the Earl of Sutherland and Lord Reay, together with the Chiefs of Grant, Ross, Munro, and other northern tribes, fixed their clans in the Whig interest.

These chiefs were poor; for the produce of their extensive but barren domains was entirely consumed in supporting the military force of the clan, from whom no industry was to be expected, as it would have degraded them in their own eyes, and in those of their leaders, and rendered them unfit for the discharge of their warlike duties. The chiefs, at the same time, when out of the Highlands, were expensive as well as needy. The sense of self-importance, which we have already noticed, induced them to imitate the expenses of a richer country, and many, by this inconsistent conduct, exposed themselves to pecuniary distress. To such men money was particularly acceptable, and it was distributed among them annually by Queen Anne's Government, during the latter years of her reign, to the amount of betwixt three and four thousand pounds. The particular sum allotted to each chief was about L.360 Sterling, for which a receipt was taken, as for a complete year's payment of the bounty-money which her Majesty had been pleased to bestow on the receiver.

These supplies were received the more willingly, because the Highland chiefs had no hesitation in regarding the money as the earnest of pay to be issued for their exertions in the cause of the House

of Stewart, to which they conceived themselves to be attached by duty, and certainly were so by inclination. And there can be no doubt, as the pensions were sure to be expended in maintaining and increasing their patriarchal followers, and keeping them in readiness for action, it seems to have been considered by the chiefs, that the largesses were designed by Government for that, and no other purpose. The money was placed at the disposal of the Earl of Mar, Secretary of State, and his being the agent of this bounty, gave him the opportunity of improving and extending his influence among the Highland chiefs, afterwards so fatally employed for them and for himself.

The construction which the chiefs put upon the bounty bestowed on them was clearly shown by their joining in a supplication to the Queen, about the end of the year 1713, which got the name of the *Sword-in-hand Address.* In one paragraph, they applaud the measures taken for repressing the license of the press, and trust that they should no longer be scandalized by hearing the Deity blasphemed, and the sacred race of Stewart traduced, with equal malice and impunity. In another, they expressed their hopes, that, after her Majesty's demise, "the hereditary and parliamentary sanction might possibly meet in the person of a lineal successor." These intimations are sufficiently plain, to testify the sense in which they understood the Queen's bounty-money.

The Duke of Argyle, whose own influence in the Highlands was cramped and interfered with

by the encouragement given to the Jacobite clans, brought the system of their pensions before Parliament, as a severe charge against the Ministers, whom he denounced as rendering the Highlands a seminary for rebellion. The charge led to a debate of importance.

The Duke of Argyle represented that "the Scots Highlanders, being for the most part either rank Papists, or declared Jacobites, the giving them pecuniary assistance was, in fact, keeping up Popish seminaries and fomenting rebellion." In answer to this the Treasurer Oxford alleged, "That in this particular he had but followed the example of King William, who, after he had reduced the Highlanders, thought fit to allow yearly pensions to the heads of clans, in order to keep them quiet; and if the present Ministry could be charged with any mismanagement on that head, it was only for retrenching part of these gratuities." This reference to the example of King William, seemed to shut the door against all cavil on the subject, and the escape from censure was regarded as a triumph by the Ministers. Yet as it was well understood, that the pensions were made under the guise of military pay, it might have been safely doubted, whether encouraging the chiefs to increase the numbers and military strength of their clans was likely to render them more orderly or peaceable subjects; and the scheme of Ministers seemed, on the whole, to resemble greatly the expedient of the child's keeper, who should give her squalling charge a knife in order to keep it quiet.

These various indications manifested that the Ministry, at least a strong party of them, were favourable to the Pretender, and meant to call him to the throne on the Queen's decease. This event could not now be far distant, since, with every symptom of declining health, Anne was harassed at once with factions among her subjects and divisions in her councils, and, always of a timid temper, had now become, from finding her confidence betrayed, as jealous and suspicious as she had been originally docile in suffering herself to be guided without doubt or hesitation. She had many subjects of apprehension pressing upon a mind which, never of peculiar strength, was now enfeebled by disease. She desired, probably, the succession of her brother, but she was jealous lest the hour of that succession might be anticipated by the zeal of his followers; nor did she less dread, lest the effects of that enthusiasm for the house of Hanover, which animated the Whigs, might bring the Electoral Prince over to England, which she compared to digging her grave while she was yet alive. The disputes betwixt Oxford and Bolingbroke divided her councils, and filled them with mutual upbraidings, which sometimes took place before the Queen; who, naturally very sensitive to the neglect of the personal etiquette due to her rank, was at once alarmed by their violence, and offended by the loose which they gave to their passions in her very presence.

The Whigs, alarmed at the near prospect of a crisis which the death of the Queen could not fail

to bring on, made the most energetic and simultaneous preparations to support the Hanoverian succession to the crown, by arms, if necessary. They took special care to represent, at the court of Hanover, their dangers and sufferings on account of their attachment to the Protestant line; and such of them as lost places of honour or profit, were, it may be believed, neither moderate in their complaints, nor sparing in the odious portraits which they drew of their Tory opponents. The Duke of Argyle, and Generals Stanhope and Cadogan, were actively engaged in preparing such officers of the British army as they dared trust, to induce the soldiers, in case of need, to declare themselves against the party who had disgraced Marlborough, their victorious general—had undervalued the achievements which they had performed under his command, and put a stop to the career of British conquest by so doing. The Elector of Hanover was induced to negotiate with Holland and other powers, to supply him with troops and shipping, in case it should be necessary to use force in supporting his title to the succession of Great Britain.[1] A scheme was laid for taking possession of the

[1] ["These proceedings did not escape the notice of the Ministers; and in the course of the last session, Lord Oxford had moved for a bill to make it treason to bring foreign troops into the kingdom. The motion was ridiculed by the Whigs, because foreign troops, if not brought into the kingdom with the permission of the legislature, were open enemies; but as the Treasurer could not be ignorant of this, his intention probably was to convey to the Whigs a hint of his being acquainted with their design."—SOMERVILLE, p. 565.]

Tower on the first appearance of danger; and the great men of the party entered into an association, binding themselves to stand by each other in defence of the Protestant succession.

While the Whigs were united in these energetic and daring measures, the Tory Ministers were, by their total disunion, rendered incapable of availing themselves of the high ground which they occupied, as heads of the Administration, or by the time allowed them by the flitting sands of the Queen's life, which were now rapidly ebbing. The discord between Oxford and Bolingbroke had now risen so high, that the latter frankly said, that if the question were betwixt the total ruin of their party, and reconciliation with Oxford and safety, he would not hesitate to choose the first alternative. Their views of public affairs were totally different. The Earl of Oxford advised moderate measures, and even some compromise or reconciliation with the Whigs. Bolingbroke conceived he should best meet the Queen's opinions by affecting the most zealous high church principles, giving hopes of the succession of her brother after her death, and by assiduously cultivating the good graces of Mrs Hill (now created Lady Masham), the royal favourite; in which, by the superior grace of his manners, and similarity of opinions, he had entirely superseded the Lord Treasurer Oxford.

This dissension betwixt the political rivals, which had smouldered so long, broke out into open hostility in the month of July, 1714, when an extremely bitter dialogue, abounding in mutual recrimina-

tions, passed in the Queen's presence betwixt Lord Treasurer Oxford on the one part, and Bolingbroke and Lady Masham on the other. It ended in the Lord Treasurer's being deprived of his office.

The road was now open to the full career of Bolingbroke's ambition. The hour he had wished and lived for was arrived; and neither he himself, nor any other person, entertained a doubt that he would be raised to the rank of lord treasurer and first-minister. But vain are human hopes and expectations! The unfortunate Queen had suffered so much from the fatigue and agitation which she had undergone during the scene of discord which she had witnessed, that she declared she could not survive it. Her apprehensions proved prophetic. The stormy consultation, or rather debate, to which we have alluded, was held on the 27th July, 1714.[1] On the 28th, the Queen was seized with a lethargic disorder. On the 30th her life was despaired of.

Upon that day, the Dukes of Somerset and Argyle, both hostile to the present, or, as it might rather now be called, the late, Administration, took the determined step of repairing to the Council-board where the other members, humbled, perplexed, and terrified, were well contented to accept their assistance. On their suggestion, the treasurer's

[1] ["The heat of their disputes, prolonged till two in the morning in her Majesty's presence, threw her into dreadful agitation, which was followed by such an alarming disorder, as rendered her unable to come to the council next day, when she intended to settle the new arrangements."—SOMERVILLE, p. 567.]

staff was conferred on the Duke of Shrewsbury, a step with which the dying Queen declared her satisfaction; and thus fell the towering hopes of Bolingbroke.

On the 1st of August Queen Anne expired, the last of the lineal Stewart race who sat on the throne of Britain. She was only fifty years old, having reigned for twelve years; and her death took place at the most critical period which the empire had experienced since the Revolution.

CHAPTER LXVI.

Proclamation of King George I.—The Earl of Stair's Embassy to France—his influence in preventing opposition on the part of Louis XIV. to the accession of the Elector of Hanover—State of Parties on the arrival of George I.—Imprisonment of Oxford, and Impeachment of Bolingbroke and Ormond—Insurrection planned by the Jacobites—The Earl of Mar is repulsed in his advances to the new Monarch, and retires to Scotland—The Scottish Cavaliers—Hunting of Braemar, and resolution of the Jacobite Leaders to take up arms—Attempt to surprise Edinburgh Castle—Preparations of Government to oppose the Insurgent Jacobites.

[1714—1715.]

THE period of Queen Anne's demise found the Jacobites, for a party who were both numerous and zealous, uncommonly ill prepared and irresolute. They had nursed themselves in the hope that the dark and mysterious conduct of Oxford was designed to favour his purpose of a counter-revolution; and the more open professions of Bolingbroke, which reached the Jacobites of Scotland through the medium of the Earl of Mar, were considered as pointing more explicitly to the same important end.

But they were mistaken in Oxford's purpose,

who only acted towards them as it was in his nature to do towards all mankind; and so regulated his conduct as to cause the Jacobites to believe he was upon their side, while, in fact, his only purpose was to keep factions from breaking into extremities, and to rule all parties, by affording hopes to each in their turn, which were all to be ultimately found delusive.[1]

Bolingbroke, on the other hand, was more sanguine and decided, both in opinion and action; and he would probably have been sufficiently active in his measures in behalf of King James, had he possessed the power of maturing them. But being thus mocked by the cross fate which showed him the place of his ambition at one moment empty, and in the next all access to it closed against him, he was taken totally unprepared; and the Duke of Ormond, Sir William Windham, and other leaders of the Jacobite party, shared the same disad-

[1] [" That the Queen did of a long time design her brother's restoration," says Lockhart, " I do not in the least question, but was prevailed with to postpone and delay it, partly by her own timorous nature, partly by the divisions and discord of her ministry, and partly by the tricks, intrigues, and pretences of the Lord Oxford, in whom for a long time she placed entire confidence, and could scarce at last be persuaded that he did not deserve it. I have mentioned the particulars of several private conversations and little emergencies, which happened to myself and consisted with my knowledge, by which I think it may appear that my opinion therein is not ill founded, though it pleased God, by the Queen's death, to blast all our hopes and expectations." In relation to other frustrated attempts on the part of his friends in this cause, he adds " they were more occasioned by the immediate interposition and visible hand of God, than by the power and contrivance of their enemies."—Vol. i. p. 480.]

vantage. They might, indeed, have proclaimed King James the Third in the person of the Chevalier de St George, and trusted to their influence with the Tory landed gentlemen, and with the populace, to effect an universal insurrection. Some of them even inclined to this desperate measure; and the celebrated Dr Atterbury, Bishop of Rochester, offered to go to Westminster in his rochet and lawn sleeves, and himself to perform the ceremony. This, however, would have been commencing a civil war, in which, the succession of the house of Hanover being determined by the existing law, the insurrectionists must have begun by incurring the guilt of high treason, without being assured of any force by which they might be protected. Upon the whole, therefore, the Jacobites, and those who wished them well, remained, after the Queen's death, dejected, confused, and anxiously watchful of circumstances, which they did not pretend to regulate or control.

On the contrary, the Whigs, acting with uncommon firmness and unanimity, took hold of the power which had so lately been possessed by their opponents, like troops who seize in action the artillery of their enemy, and turn it instantly against them. The privy counsellors who were of that party, imitating the determined conduct of the Dukes of Somerset and Argyle, repaired to the Council, without waiting for a summons, and issued instant orders for the proclamation of King George, which were generally obeyed without resistance. The assembled Parliament recognised King George I.

as the sovereign entitled to succeed, in terms of the act regulating the destination of the crown. The same proclamation took place in Ireland and Scotland without opposition; and thus the King took legal and peaceable possession of his kingdom. It appeared, also, that England's most powerful, and, it might seem, most hostile neighbour, Louis XIV., was nowise disposed to encourage any machinations which could disturb the Elector of Hanover's accession to the crown. The Chevalier de St George had made a hasty journey to Paris, upon learning the tidings of Queen Anne's death; but far from experiencing a reception favourable to his views on the British crown, he was obliged to return to Lorraine, with the sad assurance that the monarch of France was determined to adhere to the Treaty of Utrecht, by an important article of which he had recognized the succession of the House of Hanover to the Crown of Great Britain. It is more than probable, as before hinted, that there had been, during the dependence of the treaty, some private understanding, or perhaps secret agreement with Bolingbroke, which might disarm the rigour of this article. But it was evident that the power of the minister with whom such an engagement had been made, if indeed it existed in any formal shape, was now utterly fallen; and the affairs of Britain were, soon after King George's accession, intrusted to a ministry, who had the sagacity to keep the French King firm to his engagement, by sending to Paris an ambassador, equally distinguished for talents in

war and in diplomacy, and for warm adherence to the Protestant line.

This eminent person was John Dalrymple, the second Earl of Stair, whose character demands particular notice amongst the celebrated Scotsmen of this period. He was eldest surviving son of the first Earl, distinguished more for his talents than his principles, in the reigns of King William and Queen Anne, infamous for his accession to the massacre of Glencoe, and unpopular from the skill and political talent which he displayed in favour of the Union, in carrying which through the Scottish Parliament he was a most useful agent. According to the prejudiced observations of the common people, ill fortune seemed to attend his house. He died suddenly during the dependence of the Union treaty, and vulgar report attributed his death to suicide, for which, however, there is no evidence but that of common fame.

A previous calamity of a cruel nature had occurred, in which John, his second son, was the unfortunate agent. While yet a mere boy, and while playing with fire-arms, he had the great misfortune to shoot his elder brother, and kill him on the spot. The unhappy agent in this melancholy affair was sent off by the ill-fated parents, who could not bear to look upon him, to reside with a clergyman in Ayrshire, as one who was for ever banished from his family. The person to whose care he was committed was fortunately a man of sound sense, and a keen discriminator of character.

The idea he formed of the young exile's powers of mind induced him, by a succession of favourable reports, mixed with intercession, warmly to solicit his pupil's restoration to the family, of which he afterwards became the principal ornament. It was long before he could effect a reconciliation; and the youth, when this was accomplished, entered into the army with the advantages of his rank, and those arising out of early misfortune, which had compelled him to severe study. He was repeatedly distinguished in the wars of Marlborough, and particularly at Ramilies, Oudenarde, and Malplaquet. Lord Stair rose in rank in proportion to his military reputation, but was deprived of his command when the Tory ministers, in the latter end of Queen Anne's reign, new modelled the army, to the exclusion of the Whig officers. Upon the accession of George I. he was appointed a lord of the bed-chamber, a privy counsellor, and commander of the Scottish forces in the absence of the Duke of Argyle. Shortly after that great event, the Earl of Stair was, as we have already mentioned, sent to Paris, where he held for several years the situation of ambassador extraordinary, and where his almost miraculous power of acquiring information enabled him to detect the most secret intrigues of the Jacobites, and to watch, and even overawe, the conduct of the court of France, who, well disposed as they were to encourage privately the undertakings of the Chevalier St George, which public faith prevented them from countenancing openly, found themselves under the eye of

the most active and acute of statesmen, from whom nothing seemed to remain concealed; while his character for courage, talent, and integrity, made it equally impossible to intimidate, deceive, or influence him. It may be added, that his perfect knowledge of good breeding, in a nation where manners are reduced almost to a science,[1] enabled Lord Stair to preserve the good-will and favour of those with whom he treated, even while he insisted upon topics the most unpalatable to the French Monarch and his ministers, and that in a manner the most courteous in style, though most unyielding in purpose. It may be believed that large sums in secret service money were lavished in this species of diplomacy. Lord Stair was always able, by his superior information, to counteract the plots of the Jacobites, and, satisfied with doing so, was often desirous of screening from the vengeance of his own court the misguided individuals who had rashly engaged in them. It was owing to the activity of this vigilant diplomatist that George I. owed, in a great measure, the neutrality of France, which was a very important addition to the security of his new throne.

To return to our history:—George I., in the fifty-fifth year of his age, thus quietly installed in his British dominions, landed at Greenwich on the 17th of September, six weeks after the death of his

[1] [Voltaire records the admiration of Louis XIV. at Lord Stair's tact in at once entering the royal carriage, when his Majesty who stood beside it, bid him do so, without hesitating to take precedence of the Sovereign.]

predecessor, Queen Anne. The two great parties of the kingdom seemed in appearance equally disposed to receive him as their rightful monarch; and both submitted to his sway, though with very different hopes and feelings.

The triumphant Whigs were naturally assured of King George's favour towards those who had always shown themselves friendly to his title to the throne; and confident of the merit they might claim, were desirous of exerting their influence, to the utter disgrace, discomfiture, and total suppression, of their political opponents.

The Tories, on the other hand, thought it still possible, while renouncing every plan of opposing the accession of King George, to present themselves before him in such a manner as might command regard; for the number, quality, and importance of a party, which comprised a great majority of the established clergy, the greater part of both the universities, many, if not the largest portion of the lawyers, and the bulk of the proprietors of the soil, or what is called the landed interest, rendered their appearance imposing. Though dejected and humbled, therefore, by their fall from power, they consoled themselves with the idea, that they were too numerous and too important to be ill received by a Sovereign whose accession they had not opposed, and whom, on the contrary, they had shown themselves willing to acknowledge in the capacity of their monarch, disproving, as they might be disposed to think, by their dutiful demonstrations, any rumours which might have reached his Majesty

of the disaffection of many among them to his person.

It would certainly have been the best policy of the newly enthroned monarch, to have received and rewarded the services of the Whigs, without lending himself to the gratification of their political enmities. There was little policy in taking measures which were likely to drive into despair, and probably into rebellion, a large party among his subjects; and there might have been more wisdom, perhaps, as well as magnanimity, in overlooking circumstances which had occurred before his accession—in receiving the allegiance and dutiful professions of the Tories, without attaching any visible doubts to their sincerity—in becoming thus the King of Great Britain, instead of the chief of a party—and by stifling the remembrance of old feuds, and showing himself indifferently the paternal ruler of all his subjects, to have convinced any who remained disaffected, that if they desired to have another prince, they had at least no personal reason for doing so.[1]

We cannot, however, be surprised that George I., a foreign prince, totally unacquainted with the

[1] ["It was the misfortune of this prince," says Smollet, "as well as a very great prejudice to the nation, that he had been misled into strong prepossessions against the Tories, who constituted such a considerable part of his subjects. They were now excluded from all share of the royal favour, which was wholly engrossed by their enemies. These early marks of aversion, which he was at no pains to conceal, alienated the minds of many from his person and government, who would otherwise have served him with fidelity and affection."—*Hist.* b. ii. c. i.]

character of the British nation, their peculiar constitution, and the spirit of their parties,—which usually appear, when in the act of collision, much more violent and extravagant than they prove to be when a cessation of hostilities takes place,—should have been disposed to throw himself into the arms of the Whigs, who could plead their sufferings for having steadily adhered to his interest; or that those who had been his steady adherents should have found him willingly inclined to aid them in measures of vindictive retaliation upon their oponents, whom he had some reason to regard as his personal enemies. It was a case, in which to forgive would have been politic as well as magnanimous; but to resent injuries, and revenge them, was a course natural to human feeling.[1]

The late Ministers seemed for a time disposed to abide the shock of the enmity of their political rivals. Lord Oxford waited on the King at his

[1] ["Conformably to this mode of thinking, which he perhaps carried to excess, George placed, not only the administration, but all the considerable employments of the kingdom, both civil and military, in the hands of the Whigs. The treasury and admiralty were put in commission; the command of the army was taken from the Duke of Ormond, and restored to the Duke of Marlborough; the Duke of Argyle was made commander of the forces in Scotland; the great seal was given to Lord Cowper, the privy seal to the Earl of Wharton, and the government of Ireland to the Earl of Sunderland. Lord Townshend and Mr Stanhope were appointed secretaries of state; the Duke of Somerset was declared master of the horse; Mr Pultney, secretary at war; Mr Walpole, paymaster-general; and the post of secretary for Scotland was bestowed on the Duke of Montrose. A new Parliament was called, in which the interest of the Whigs predominated."—RUSSELL, vol. iv. p. 387. SMOLLET, b. ii. c. i.]

landing, and, though coldly received, remained in London till impeached of high treason by the House of Commons, and committed to the Tower. Lord Bolingbroke continued to exercise his office of Secretary of State until he was almost forcibly deprived of it. An impeachment was also brought against him. His conscience probably pleaded guilty, for he retired to France, and soon after became Secretary to the Chevalier de St George. The Duke of Ormond, a nobleman of popular qualities, brave, generous, and liberal, was in like manner impeached, and in like manner made his escape to France. His fate was peculiarly regretted, for the general voice exculpated him from taking any step with a view to selfish aggrandisement. Several of the Whigs themselves, who were disposed to prosecute to the uttermost the mysterious Oxford and the intriguing Bolingbroke, were inclined to sympathise with the gallant and generous cavalier, who had always professed openly the principles on which he acted. Many other distinguished persons of the Tory party were threatened with prosecutions, or actually subjected to them; which filled the whole body with fear and alarm, and inclined some of the leaders amongst them to listen to the desperate counsels of the more zealous Jacobites, who exhorted them to try their strength with an enemy who showed themselves implacable, and not to submit to their ruin without an effort to defend themselves. A large party of the populace all through the country, and in London itself, renewed the cry of "High Church for ever," with

which were mingled the names of Ormond and Oxford, the principal persons under prosecution.[1] Among the clergy, there were found many who, out of zeal for their order, encouraged the lower classes in their disorderly proceedings; in which they burnt and destroyed the meeting-houses of dissenters, pillaged the houses of their ministers, and committed all those irregularities by which an English mob is distinguished, but whose vehemence of sentiment generally evaporates in such acts of clamour and violence.[2]

There were, however, deeper symptoms of disaffection than those displayed in the empty roar

[1] ["The Earl of Oxford, when brought to his trial after remaining near two years in prison, was dismissed for want of accusers. The proceedings in his case occasioned a rupture betwixt the two Houses of Parliament, and the Commons refused ultimately to appear against him."—SMOLLET, b. ii. c. 1.]

[2] ["The clamour of the Church being in danger was revived; jealousies were excited; seditious libels dispersed; and dangerous tumults raised in different parts of the kingdom. Birmingham, Bristol, Chippenham, Norwich, and Reading, were filled with licentious riot. The party cry was 'Down with the Whigs!'—'Sacheverel for ever.' Many gentlemen of the Whig faction were abused; magistrates in towns, and justices in the country, were reviled and insulted by the populace in the execution of their office."—*Ibid.* "At Bristol they murdered one Mr Thomas for persuading them to withdraw; and several gentlemen were hurt, abused, and insulted. At Taunton, several were knocked down for naming King George; some had their limbs broken, and many were so abused that their lives were despaired of. In Bedford, the mob, in contempt of his Majesty, put the Maypole in mourning, and hung mourning garments thereon. At Frome in Somersetshire, this brutish crew, in contempt of the King, dressed up an idiot, called George, in a fool's coat, saying, '*Here's* OUR *George.*'"—RAE'S *Hist. of the Rebellion* 1715, p. 109, 4to.]

and senseless ravage of the populace. Bolingbroke and Ormond, who had both found refuge at the court of the Pretender to the crown, and acknowledged his title, carried on a secret correspondence with the Tories of influence and rank in England, and encouraged them to seek, in a general insurrection for the cause of James III., a remedy for the evils with which they were threatened, both personally and as a political party. But England had been long a peaceful country. The gentry were opulent, and little disposed to risk, in the event of war, their fortunes and the comforts which they procured them. Strong assistance from France might have rendered the proposal of an insurrection more acceptable; but the successful diplomacy of Lord Stair at the Court of Louis destroyed all hopes of this, unless on a pitifully small scale. Another resource occurred to the Jacobite leaders, which might be attained by instigating Scotland to set the example of insurrection. The gentry in that country were ready for war, which had been familiar to them on many occasions during the lives of their fathers and their own. They might be easily induced to take arms—the Highlanders, to whom war was a state preferable to peace, were sure to take the field with them—the Border counties of England were most likely to catch the flame, from the disposition of many of the gentry there,—and the conflagration, it was expected, might, in the present humour of the nation, be extended all over England. To effect a rising, therefore, in Scotland, with a view to a general insur-

rection throughout Great Britain, became the principal object of those who were affected by, or who resented, the prosecutions directed with so much rigour against the members of Queen Anne's last ministry.

John, eighteenth Lord Erskine, and eleventh Earl of Mar, whom we have repeatedly mentioned as Secretary of State during the last years of Queen Anne, and as the person to whom the distribution of money among the Highland clans, and the general management of Scottish affairs, was intrusted by her Ministry, was naturally considered as the person best qualified to bring his countrymen to the desired point. Mar had not felt any difficulty in changing from the Whig principles which he professed at the time of the Union, — on which occasion he was one of the Scottish Secretaries of State,—to the Tory principles of Bolingbroke, which he now professed. We do him, therefore, no wrong in supposing, that he would not have sturdily rejected any proposal from the court of George I. to return to the party of Whig and Low Church. At least it is certain, that when the heads of the Tory party had determined to submit themselves to George I., Lord Mar, in following the general example, endeavoured to distinguish himself by a display of influence and consequence, which might mark him as a man whose adherence was worth securing, and who was, at the same time, willing to attach himself to the new Sovereign. In a letter addressed to King George while in Holland, and dated 30th

August, 1714, the Earl expresses great apprehension that his loyalty or zeal for the King's interests may have been misrepresented to his Majesty, because he found himself the only one of Queen Anne's servants whom the Hanoverian ministers at the court of London did not visit. His lordship then pleads the loyalty of his ancestors, his own services at the Union, and in passing the Act of Succession; and, assuring the King that he will find him as faithful a subject and servant as ever any of his family had been to the preceding royal race, or as he himself had been to the late Queen; he conjures him not to believe any misrepresentations of his conduct, and concludes with a devout prayer for the quiet and peaceful reign of the Monarch, in disturbing which he himself was destined to be the prime instrument.

But it was not only on his individual application that the Earl of Mar expected indemnity, and perhaps favour, at the court of George I. He desired also to display his influence over the Highlanders, and for that purpose procured a letter, subscribed by a number of the most influential chiefs of the clans, addressed to himself, as having an estate and interest in the Highlands, conjuring him to assure the Government of their loyalty to his Sacred Majesty, King George, and to protect them, and the heads of other clans who, from distance, could not attend at the signing of the letter, against the misrepresentations to which they might be exposed; protesting, that as they had been ready to follow Lord Mar's directions in obeying Queen Anne, so

they would be equally forward to concur with him in faithfully serving King George.[1] At the same time, a loyal address of the clans to the same effect, drawn up by Lord Grange, brother to Mar, was forwarded to and placed in the hands of the Earl, to be delivered to the King at his landing. Lord Mar attended at Greenwich accordingly, and doubtless expected a favourable reception, when delivering to the new Monarch a recognition of his authority on the part of a class of his subjects who were supposed to be inimical to his accession, and were certainly best prepared to disturb his new reign. Lord Mar was, however, informed that the King would not receive the address of the clans, alleging it had been concocted at the court of the Pretender; and he was at the same time commanded to deliver up the seals, and informed that the King had no farther occasion for his services.

On the policy of this repulse it is almost unnecessary to make observations. Although it might be very true that the address was made up with the sanction of the Chevalier de St George and his advisers, it was not less the interest of George I. to have received, with the usual civility, the expressions of homage and allegiance which it contained. In a similar situation, King William

[1] [The Highland chiefs who adhibited their signatures to this letter, were Maclean of Maclean; Macdonnell of Glengarry; Mackenzie of Fraserdale; Cameron of Lochiel; Macleod of Contulick; Macdonald of Keppoch; Grant of Glenmoristown; Macintosh of Macintosh; Chisholm of Comar; Macpherson of Cluny; and Sir Donald Macdonald.—RAE, p. 86.]

did not hesitate to receive, with apparent confidence, the submission of the Highland clans, though it was well understood that it was made under the express authority of King James II. A monarch whose claim to obedience is yet young, ought in policy to avoid an immediate quarrel with any part of his subjects who are ready to profess allegiance as such. His authority is, like a transplanted tree, subject to injury from each sudden blast, and ought, therefore, to be secured from such, until it is gradually connected by the ramification of its roots incorporating themselves with the soil in which it is planted. A sudden gust may in the one case overturn, what in the other can defy the rage of a continued tempest. It seems at least certain, that in bluntly, and in a disparaging manner, refusing an address expressing allegiance and loyalty, and affronting the haughty courtier by whom it was presented, King George exposed his government to the desperate alternative of civil war, and the melancholy expedient of closing it by bringing many noble victims to the scaffold, which during the reign of his predecessor had never been stained with British blood shed for political causes. The impolicy, however, cannot justly be imputed to a foreign Prince, who, looking at the list of Celtic names, and barbarously unpronounceable designations which were attached to the address, could not be supposed to infer from thence, that the subscribers were collectively capable of bringing into the field, on the shortest notice, ten thousand men, who, if not regular soldiers, were accustomed to a

sort of discipline which rendered them equal to such. There were many around the King who could have informed him on this subject; and, to their failing to do so, the bloodshed, and concomitant misfortunes of the future civil war, must justly be attributed.

The Earl of Mar, thus repulsed in his advances to the new Monarch, necessarily concluded that his ruin was determined on; and, with the desire of revenge, which was natural at least, if not justifiable, he resolved to place himself at the head of the disaffected party in Scotland, encouraging them to instant insurrection, and paying back the contumely with which his offer of service had been rejected, by endangering the government of the Prince at whose hands he had experienced such an insult.

It was early in August, 1715, that the Earl of Mar embarked at Gravesend, in the strictest incognito, having for his companions Major-general Hamilton and Colonel Hay, men of some military experience. They sailed in a coal-sloop, working, it was said, their passage, the better to maintain their disguise, landed at Newcastle, hired a vessel there, and then proceeded to the small port of Elie, on the eastern shore of Fife, a county which then abounded with friends to the Jacobite cause. The state of this province in other respects offered facilities to Mar. It is a peninsula, separated from Lothian by the frith of Forth, and from the shire of Angus by that of Tay; and as it did not, until a very late period, hold much intercourse with the metropolis, though so near it in point of distance,

it seemed like a district separated from the rest of Scotland, and was sometimes jocosely termed the "Kingdom of Fife." The commonalty were, in the beginning of the 18th century, almost exclusively attached to the Presbyterian persuasion; but it was otherwise with the gentry, who were numerous in this province to a degree little known in other parts of Scotland. Its security, during the long wars of former centuries, had made it early acquainted with civilisation. The value of the soil, on the sea-coasts at least, had admitted of great subdivision of property; and there is no county of Scotland which displays so many country-seats within so short a distance of each other. These gentlemen were, as we have said, chiefly of the Tory persuasion, or, in other words, Jacobites; for the subdivision of politicians termed *Whimsicals*, or *Tories attached to the House of Hanover*, could hardly be said to exist in Scotland, though well known in South Britain. Besides their tenants, the Fife lairds were most of them men who had not much to lose in civil broils, having to support an establishment considerably above the actual rents of their estates, which were, of course, impaired by increasing debts: they were, therefore, the less unwilling to engage in dangerous enterprises. As a party affecting the manners of the ancient Cavaliers, they were jovial in their habits, and cautious to omit no opportunity of drinking the King's health; a point of loyalty which, like virtue of other kinds, had its own immediate reward. Loud and bold talkers, the Jacobites had accustomed themselves to think they were the prevailing party;

an idea which those of any particular faction, who converse exclusively with each other, are usually found to entertain. Their want of knowledge of the world, and the total absence of newspapers, save those of a strong party leaning, whose doctrines or facts they took care never to correct by consulting any of an opposite tendency, rendered them at once curious and credulous. This slight sketch of the Fife lairds may be applied, with equal justice, to the Jacobite country gentlemen of that period in most counties of Scotland. They had virtues to balance their faults and follies. The political principles they followed had been handed down to them from their fathers; they were connected, in their ideas, with the honour of their country; and they were prepared to defend them with a degree of zeal, which valued not the personal risks in which the doing so might place life and property. There were also individuals among them who had natural talents improved by education. But, in general, the persons whom the Earl of Mar was now desirous to stir up to some sudden act of mutiny, were of that frank and fearless class who are not guilty of seeing far before them. They had already partaken in the general excitation caused by Queen Anne's death, and the approaching crisis which was expected to follow that important event. They had struggled with the Whig gentry, inferior in number, but generally more alert and sagacious in counsel and action, concerning the addresses of head-courts and the seats on the bench of justices. Many of them had commissioned swords, carabines, and pistols,

from abroad. They had bought up horses fit for military service; and some had taken into their service additional domestics, selecting in preference men who had served in some of the dragoon regiments, which had been reduced in consequence of the peace of Utrecht. Still, notwithstanding these preparations for a rising, some of the leading men in Fife, as elsewhere, were disposed to hesitate before engaging in the irretrievable step of rebellion against the established government. Their reluctance was overcome by the impatience of the majority, excited by the flattering though premature rumours which were actively circulated by a set of men, who might be termed the Intelligencers of the faction.

It is well known, that in every great political body there are persons, usually neither the wisest, the most important, or most estimable, who endeavour to gain personal consequence by pretending peculiar access to information concerning its most intimate concerns, and who are equally credulous in believing, and indefatigable in communicating, whatever rumours are afloat concerning the affairs of the party, whom they encumber by adhering to. With several of these Lord Mar communicated, and exalted their hopes to the highest pitch, by the advantageous light in which he placed the political matters which he wished them to support, trusting to the exaggerations and amplifications with which they were sure to retail what he had said.

Such agents, changing what had been stated as probabilities into certainties, furnished an answer

to every objection which could be offered by the more prudent of their party. If any cautious person objected to stir before the English Jacobites had shown themselves serious—some one of these active vouchers was ready to affirm, that every thing was on the point of a general rising in England, and only waited the appearance of a French fleet with ten thousand men, headed by the Duke of Ormond. Did the listener prefer an invasion of Scotland,—the same number of men, with the Duke of Berwick at their head, were as readily promised. Supplies of every kind were measured out, according to the desire of the auditors; and if any was moderate enough to restrain his wish to a pair of pistols for his own use, he was assured of twenty brace to accommodate his friends and neighbours. This kind of mutual delusion was every day increasing; for as those who engaged in the conspiracy were interested in obtaining as many proselytes as possible, they became active circulators of the sanguine hopes and expectations by which they, perhaps, began already to suspect that they had been themselves deceived.

It is true, that looking abroad at the condition of Europe, these unfortunate gentlemen ought to have seen, that the state of France at that time was far from being such, as to authorize any expectations of the prodigal supplies which she was represented as being ready to furnish, or, rather, as being in the act of furnishing. Nothing was less likely, than that that kingdom, just extricated from a war in which it had been nearly ruined, by a peace

so much more advantageous than they had reason to expect, should have been disposed to afford a pretext for breaking the treaty which had pacified Europe, and for renewing against France the confederacy under whose pressure she had nearly sunk. This was more especially the case, when, by the death of Louis XIV., whose ambition and senseless vanity had cost so much blood, the government devolved on the Regent Duke of Orleans. Had Louis survived, it is probable that, although he neither did nor dared to have publicly adopted the cause of the Chevalier de St George, as was indeed evident by his refusing to receive him at his court; yet, the recollection of his promise to the dying James II., as well as the wish to embarrass England, might have induced him to advance money, or give some underhand assistance to the unhappy exile. But, upon Louis's death, the policy of the Duke of Orleans, who had no personal ties whatever with the Chevalier de St George, induced him to keep entire good faith with Britain—to comply with the requisitions of the Earl of Stair—and to put a stop to all such preparations in the French ports, as the vigilance of that minister had detected, and denounced as being made for the purpose of favouring the Jacobite insurrection. Thus, while the Chevalier de St George was represented as obtaining succours in arms, money, and troops, from France, to an amount which that kingdom could hardly have supplied, and from her inferiority in naval force, certainly must have found it difficult to have trans-

1st August, 1715.

ported into Britain, even in Louis's most palmy days, the ports of that country were even closed against such exertions as the Chevalier might make upon a small scale by means of his private resources.

But the death of Louis XIV. was represented in Scotland as rather favourable, than otherwise, to the cause of James the Pretender. The power of France was now wielded, it was said, by a courageous and active young prince, to whose character enterprise was more natural than to that of an aged and heart-broken old man, and who would, of course, be ready to hazard as much, or more, in the cause of the Jacobites, than the late monarch had so often promised. In short, the death of Louis the Great, long the hope and prop of the Jacobite cause, was boldly represented as a favourable event during the present crisis.

Although a little dispassionate enquiry would have dispelled the fantastic hopes, founded on the baseless rumour of foreign assistance, yet such fictions as I have here alluded to, tending to exalt the zeal and spirits of the party, were circulated because they were believed, and believed because they were circulated; and the gentlemen of Stirlingshire, Perth, Angus, and Fifeshire, began to leave their homes, and assemble in arms, though in small parties, at the foot of the Grampian hills, expecting the issue of Lord Mar's negotiations in the Highlands.

Upon leaving Fifeshire, having communicated with such gentlemen as were most likely to serve

his purpose, Mar proceeded instantly to his own estates of Braemar, lying along the side of the river Dee, and took up his residence with Farquharson of Invercauld. This gentleman was chief of the clan Farquharson, and could command a very considerable body of men. But he was vassal to Lord Mar for a small part of his estate, which gave the Earl considerable influence with him; not, however, sufficient to induce him to place himself and followers in such hazard as would have been occasioned by an instant rising. He went to Aberdeen, to avoid importunity on the subject, having previously declared to Mar, that he would not take arms until the Chevalier de St George had actually landed. At a later period he joined the insurgents.

Disappointed in this instance, Mar conceived, that as desperate resolutions are usually most readily adopted in large assemblies, where men are hurried forward by example, and prevented from retreating, or dissenting, by shame, he should best attain his purpose in a large convocation of the chiefs and men of rank, who professed attachment to the exiled family. The assembly was made under pretext of a grand hunting match, which, as maintained in the Highlands, was an occasion of general rendezvous of a peculiar nature. The lords attended at the head of their vassals, all, even Lowland guests, attired in the Highland garb, and the sport was carried on upon a scale of rude magnificence. A circuit of many miles was formed around the wild desolate forests and wildernesses,

which are inhabited by the red deer, and is called the *tinchel*. Upon a signal given, the hunters who compose the tinchel begin to move inwards, closing the circle, and driving the terrified deer before them, with whatever else the forest contains of wild animals who cannot elude the surrounding sportsmen. Being in this manner concentrated and crowded together, they are driven down a defile, where the principal hunters lie in wait for them, and show their dexterity by marking out and shooting those bucks which are in season. As it required many men to form the tinchel, the attendance of vassals on these occasions was strictly insisted upon. Indeed, it was one of the feudal services required by the law, attendance on the superior at *hunting* being as regularly required as at *hosting*, that is, joining his banner in war; or *watching* and *warding*, garrisoning, namely, his castle in times of danger.

An occasion such as this was highly favourable; and the general love of sport, and well-known fame of the forest of Braemar for game of every kind, assembled many of the men of rank and influence who resided within reach of the rendezvous, and a great number of persons besides, who, though of less consequence, served to give the meeting the appearance of numbers. This great council was held about the 26th of August, and it may be supposed, they did not amuse themselves much with hunting, though it was the pretence and watchword of their meeting.

Among the noblemen of distinction, there ap-

peared in person, or by representation, the Marquis of Huntly, eldest son of the Duke of Gordon; the Marquis of Tulliebardine, eldest son of the Duke of Athole; the Earls of Nithsdale, Marischal, Traquair, Errol, Southesk, Carnwath, Seaforth and Linlithgow; the Viscounts of Kilsythe, Kenmuir, Kingston, and Stormount; the Lords Rollo, Duffus, Drummond, Strathallan, Ogilvy, and Nairne. Of the chiefs of clans, there attended Glengarry, Campbell of Glendarule, on the part of the powerful Earl of Breadalbane, with others of various degrees of importance in the Highlands.

When this council was assembled, the Earl of Mar addressed them in a species of eloquence which was his principal accomplishment, and which was particularly qualified to succeed with the high-spirited and zealous men by whom he was surrounded. He confessed, with tears in his eyes, that he had himself been but too instrumental in forwarding the Union between England and Scotland, which had given the English the power, as they had the disposition, to enslave the latter kingdom. He urged that the Prince of Hanover was an usurping intruder, governing by means of an encroaching and innovating faction; and that the only mode to escape his tyranny was to rise boldly in defence of their lives and property, and to establish on the throne the lawful heir of these realms. He declared that he himself was determined to set up the standard of James III., and summon around it all those over whom he had influence, and to hazard his fortune and life in the

cause. He invited all who heard him to unite in the same generous resolution. He was large in his promises of assistance from France in troops and money, and persisted in the story that two descents were to take place, one in England, under the command of Ormond, the other in Scotland, under that of the Duke of Berwick. He also strongly assured his hearers of the certainty of a general insurrection in England, but alleged the absolute necessity of showing them an example in the north, for which the present time was most appropriate, as there were few regular troops in Scotland to restrain their operations, and as they might look for assistance to Sweden as well as to France.

It has been said that Mar, on this memorable occasion, showed letters from the Chevalier de St George, with a commission nominating the Earl his lieutenant-general and commander-in-chief of his armies in Scotland. Other accounts say, more probably, that Mar did not produce any other credentials than a picture of the Chevalier, which he repeatedly kissed, in testimony of zeal for the cause of the original, and that he did not at the time pretend to the supreme command of the enterprise. This is also the account given in the statement of the transaction drawn up by Mar himself, or under his eye, where it is plainly said, that it was nearly a month after the standard was set up ere the Earl of Mar could procure a commission.

The number of persons of rank who were assembled, the eloquence with which topics were

publicly urged which had been long the secret inmates of every bosom, had their effect on the assembled guests; and every one felt, that to oppose the current of the Earl's discourse by remonstrance or objection, would be to expose himself to the charge of cowardice, or of disaffection to the common cause. It was agreed that all of them should return home, and raise, under various pretexts, whatever forces they could individually command against a day, fixed for the 3d of September, on which they were to hold a second meeting at Aboyne, in Aberdeenshire, in order to settle how they were to take the field. The Marquis of Huntly alone declined to be bound to any limited time; and in consequencee of his high rank and importance, he was allowed to regulate his own motions at his own pleasure.

Thus ended that celebrated hunting in Braemar, which, as the old bard says of that of Chevy Chace, might, from its consequences, be wept by a generation which was yet unborn.[1] There was a circumstance mentioned at the time, which tended to show that all men had not forgotten that the Earl of Mar, on whose warrant this rash enterprise was undertaken, was considered by some as rather too versatile to be fully trusted. As the castle of Braemar was overflowing with guests, it chanced that, as was not unusual on such occasions, many of the gentlemen of the secondary class could not

[1] ["To drive the deer with hound and horn,
Earl Percy took his way;
The child may rue that is unborn,
The hunting of that day."—*Ballad of Chevy Chace.*]

obtain beds, but were obliged to spend the night around the kitchen fire, which was then accounted no great grievance. An English footman, a domestic of the Earl, was of a very different opinion. Accustomed to the accommodations of the south, he came bustling in among the gentlemen, and complained bitterly of being obliged to sit up all night, notwithstanding he shared the hardship with his betters, saying, that rather than again expose himself to such a strait, he would return to his own country and turn Whig. However, he soon after comforted himself by resolving to trust to his master's dexterity for escaping every great danger. "Let my lord alone," he said; "if he finds it necessary, he can turn cat-in-pan with any man in England."

While the Lowland gentlemen were assembling their squadrons, and the Highland chiefs levying their men, an incident took place in the metropolis of Scotland, which showed that the spirit of enterprise which animated the Jacobites, had extended to the capital itself.

James Lord Drummond, son of that unfortunate Earl of Perth, who, having served James VII. as Chancellor of Scotland, had shared the exile of his still more unfortunate master, and been rewarded with the barren title of Duke of Perth, was at present in Edinburgh; and by means of one Mr Arthur, who had been formerly an ensign in the Scots Guards, and quartered in the Castle, had formed a plan of surprising that inaccessible fortress, which resembled an exploit of Thomas Randolph, or the

Black Lord James of Douglas, rather than a feat of modern war. This Ensign Arthur found means of seducing, by money and promises, a sergeant named Ainslie, and two privates, who engaged, that, when it was their duty to watch on the walls which rise from the precipice looking northward, near the Sally-port, they would be prepared to pull up from the bottom certain rope-ladders prepared for the purpose, and furnished with iron grapplings to make them fast to the battlements. By means of these, it was concluded that a select party of Jacobites might easily scale the walls, and make themselves masters of the place. By a beacon placed on a particular part of the Castle, three rounds of artillery, and a succession of fires made from hill to hill through Fife and Angus shires, the signal of success was to be communicated to the Earl of Mar, who was to hasten forward with such forces as he had collected, and take possession of the capital city and chief strength of Scotland.

There was no difficulty in finding agents in this perilous and important enterprise. Fifty Highlanders, picked men, were summoned up from Lord Drummond's estates in Perthshire, and fifty more were selected among the Jacobites of the metropolis. These last were disbanded officers, writers' clerks and apprentices, and other youths of a class considerably above the mere vulgar. Drummond, otherwise called MacGregor, of Bahaldie, a Highland gentleman of great courage, was named to command the enterprise.[1] If successful, this

[1] [" The principal traitor," says Rae, " William Ainslie, a

achievement must have given the Earl of Mar and his forces the command of the greater part of Scotland, and afforded them a safe and ready means of communication with the English malecontents, the want of which was afterwards so severely felt. He would also have obtained a large supply of money, arms, and ammunition deposited in the fortress, all of which were most needful for his enterprise. And the apathy of Lieutenant-Colonel Stewart, then deputy-governor of the castle, was so great that, in spite of numerous blunders on the part of the conspirators, and an absolute revelation on the subject made to Government, the surprise had very nearly taken place.

The younger conspirators who were to go on this forlorn hope, had not discretion in proportion to their courage. Eighteen of them, on the night appointed, were engaged drinking in a tippling house, and were so careless in their communications, that the hostess was able to tell some person who enquired what the meeting was about, that it consisted of young gentlemen who were in the act of having their hair powdered, in order to go to the attack of the castle. At last the full

a sergeant, who hath since been hanged for his villany, had the promise of a Lieutenant's place; and James Thomson and John Holland, two single centinels, had received, the one 8 guineas and the other four, with a promise of a better reward, if the design should succeed. And it hath since appeared by their own confession, that the numbers engaged in this attempt were about eighty, besides officers; and that each of them was to have L.100 sterling, and a commission in the army, if the attempt had succeeded, and that the Lord Drummond was to be the governor of the castle."—*Hist.* p. 198.]

secret was intrusted to a woman. Arthur, their guide, had communicated the plot to his brother, a medical man, and engaged him in the enterprise. But when the time for executing it drew nigh, the doctor's extreme melancholy was observed by his wife, who, like a second Belvidera or Portia, suffered him not to rest until she extorted the secret from him, which she communicated in an anonymous letter to Sir Adam Cockburn of Ormiston, then Lord Justice-Clerk, who instantly despatched the intelligence to the castle. The news arrived so critically, that it was with difficulty the messenger obtained entrance to the castle; and even then the deputy-governor, disbelieving the intelligence, or secretly well affected to the cause of the Pretender, contented himself with directing the rounds and patrols to be made with peculiar care, and retired to rest.

In the mean time, the Jacobite storming party had rendezvoused at the churchyard of the West Kirk, and proceeded to post themselves beneath the castle wall. They had a part of their rope ladders in readiness, but the artificer, one Charles Forbes, a merchant in Edinburgh, who ought to have been there with the remainder, which had been made under his direction, was no where to be seen. Nothing could be done during his absence; but, actuated by their impatience, the party scrambled up the rock, and stationed themselves beneath the wall, at the point where their accomplice kept sentry. Here they found him ready to perform his stipulated part of the bargain, by pulling up the ladder of ropes which was designed to give

8th Sept.

them admittance. He exhorted them, however, to be speedy, telling them he was to be relieved by the patrol at twelve o'clock, and if the affair were not completed before that hour, that he could give no further assistance. The time was fast flying, when Balaldie, the commander of the storming party, persuaded the sentinel to pull up the grapnel, and make it fast to the battlements, that it might appear whether or not they had length of ladder sufficient to make the attempt. But it proved as indeed they had expected, more than a fathom too short. At half past eleven o'clock, the steps of the patrol, who had been sent their rounds earlier than usual, owing to the message of the Lord Justice-Clerk, were heard approaching, on which the sentinel exclaimed, with an oath, "Here come the rounds I have been telling you of this half hour; you have ruined both yourself and me; I can serve you no longer." With that he threw down the grappling-iron and ladders, and in the hope of covering his own guilt, fired his musket, and cried "Enemy!" Every man was then compelled to shift for himself, the patrol firing on them from the wall. Twelve soldiers of the burgher guard, who had been directed by the Lord Justice-Clerk to make the round of the castle on the outside, took prisoners three youths, who insisted that they were found there by mere accident, and an old man, Captain MacLean, an officer of James VII., who was much bruised by a fall from the rocks.[1]

[1] ["The patrol found one Captain MacLean, whom they secured, sprawling on the ground and bruised; with Alexander

The rest of the party escaped alongst the north bank of the North Loch, through the fields called Barefoord's Parks, on which the New Town of Edinburgh now stands. In their retreat they met their tardy engineer, Charles Forbes, loaded with the ladders which were so much wanted a quarter of an hour before. Had it not been for his want of punctuality, the information and precautions of the Lord Justice-Clerk would have been insufficient for the safety of the place. It does not appear that any of the conspirators were punished, nor would it have been easy to obtain proof of their guilt. The treacherous sergeant was hanged by sentence of a court-martial, and the deputy-governor (whose name of Stewart might perhaps aggravate the suspicion that attached to him) was deprived of his office, and imprisoned for some time.

It needed not this open attack on the castle of Edinburgh, or the general news of Lord Mar's Highland armament, and the rising of the disaffected gentlemen in arms throughout most of the counties of Scotland, to call the attention of King George's Government to the disturbed state of that part of his dominions. Measures for defence were hastily adopted. The small number of regular troops who were then in Scotland were concentrated, for the purpose of forming a camp at

Ramsay and George Boswell, writers in Edinburgh, and one Lesly, formerly page to the Duchess of Gordon; they likewise found the ladder, with a dozen of firelocks and carabines, which the conspirators had thrown away, in order to make their escape the better."—RAE, p. 200.]

Stirling, in order to prevent the rebels from seizing the bridge over the Forth, and thereby forcing their way into the Low country. But four regiments, on the peace establishment, only mustered two hundred and fifty-seven men each; four regiments of dragoons were considerably under two hundred to a regiment—a total of only fifteen hundred men at the utmost.

To increase these slender forces, two regiments of dragoons, belonging to the Earl of Stair, with two regiments of foot quartered in the north of England, were ordered to join the camp at Stirling with all possible despatch. The foot regiments of Clayton and Wightman, with the dragoons of Evans, were recalled from Ireland. The six thousand auxiliary forces with whom the Dutch had engaged, in case of need, to guarantee the succession of the House of Hanover, were required of the States, who accordingly ordered the Scotch regiments in their service to march for the coast, but excused themselves from actually embarking them, in consequence of the French ambassador having disowned, in the strongest manner, any intent on the part of his court to aid the factions in England by sending over the Pretender to Britain, or to assist those who were in arms in his behalf. The Dutch alleged this as a sufficient reason for suspending the shipment of these auxiliaries.

Besides these military measures, the Ministers of George I. were not remiss in taking such others as might check the prime cause of rebellions in

Scotland, namely, that feudal influence possessed by the aristocracy over their vassals, tenants, and dependents, by which the great men, when disgraced or disappointed, had the power of calling to arms, at their pleasure, a number of individuals, who, however unwilling they might be to rise against the Government, durst not, and could not, without great loss and risk of oppression, oppose themselves to their superior's pleasure.

On the 30th of August, therefore, an act was passed for the purpose of encouraging loyalty in Scotland, a plant which of late years had not been found to agree with the climate of that cold and northern country, or at least, where found to luxuriate, it was of a nature different from that known by the same name at Westminster.

This statute, commonly called the Clan Act, enacted, 1. That if a feudal superior went into rebellion, and became liable to the pains of high treason, all such vassals holding lands under him, as should continue in their allegiance, should in future hold these lands of the Crown. 2. If a tenant should have remained at the King's peace while his landlord had been engaged in rebellion, and convicted of treason, the space of two years gratuitous possession should be added to that tenant's lease. 3. If the superior should remain loyal and peaceful while the vassal should engage in rebellion, and incur conviction of high treason, then the fief, or lands held by such vassal, shall revert to the superior as if they had never been separated from his estate. 4. Another clause de-

clared void such settlements of estates and deeds of entail as might be made on the 1st day of August, 1714, or at any time thereafter, declaring that they should be no bar to the forfeiture of the estates for high treason, seeing that such settlements had been frequently resorted to for the sole purpose of evading the punishment of the law.

This remarkable act was the first considerable step towards unloosing the feudal fetters, by which the command of the superior became in some measure the law of the vassal. The clause concerning settlements and entails was also important, and rendered nugatory the attempts which had been frequently made to evade the punishment of forfeiture, by settlements made previous to the time when those who granted the deeds engaged in rebellion. Such deeds as were executed for onerous causes, that is, for value of some kind received, were justly excepted from the operation of this law.

There was, moreover, another clause, empowering the crown to call upon any suspected person or persons in Scotland to appear at Edinburgh, or where it should be judged expedient, for the purpose of finding bail, with certification that their failure to appear should subject them to be put to the horn as rebels, and that they should incur the forfeiture of the liferent escheat. Immediately afterwards, summonses were issued to all the noblemen and gentlemen either actually in arms, or suspected of favouring the Jacobite interest, from the Earl of Mar and his compeers, down to

Rob Roy MacGregor, the celebrated outlaw. The list amounted to about fifty men of note, of which only two, Sir Patrick Murray, and Sir Alexander Erskine, thought proper to surrender themselves.

Besides these general measures, military resistance to the expected rebellion was prepared in a great many places, and particularly in borough-towns and seaports. It is here to be remarked, that a great change had taken place among the bulk of the people of Scotland, from the ill-humour into which they had been put by the conclusion of the Union treaty. At that time, such were the effects of mortified pride, popular apprehension, and national antipathy, that the populace in every town and country would have arisen to place the Pretender on the throne, notwithstanding his professing the Catholic religion, and being the grandson of James VII., of whose persecutions, as well as those in the time of his predecessor, Charles II., the Presbyterians of the west nourished such horrible recollections. Accordingly, we have seen that it was only by bribing their chiefs, and deceiving them by means of adroit spies, that the Cameronians, the most zealous of Presbyterians, who disowned the authority of all magistrates who had not taken the Solemn League and Covenant, were prevented from taking arms to dissolve the Union Parliament, and to declare for the cause of James III. But it happened with the Union, as with other political measures, against which strong prejudices have been excited during their progress:—the complication of predicted evils were so far

from being realized, that the opponents of the treaty began to be ashamed of having entertained such apprehensions. None of the violent changes which had been foretold, none of the universal disgrace and desolation which had been anticipated in consequence, had arisen from that great measure. The enforcing of the Malt Tax was the most unpopular, and that impost had been for the time politically suspended. The shopkeepers of Edinburgh, who had supplied the peers of Scotland with luxuries, had found other customers, now that the aristocracy were resident in London, or they had turned their stock into other lines of commerce. The ideal consequence of a legislature of their own holding its sittings in the metropolis of Scotland, was forgotten when it became no longer visible, and the abolition of the Scottish Privy Council might, on calm reflection, be considered as a national benefit rather than a privation. In short, the general resentment excited by the treaty of Union, once keen enough to suspend all other motives, was a paroxysm too violent to last —men recovered from it by slow degrees, and though it was still predominant in the minds of some classes, yet the opinions of the lower orders in general had in a great measure returned to their usual channel, and men entertained in the south and west, as well as in many of the boroughs, their usual wholesome horror for the Devil, the Pope, and the Pretender, which, for a certain time, had been overpowered and lost in their apprehensions for the independence of Scotland.

In 1715, also, the merchants and better class of citizens, who began to entertain some distant views of enriching themselves by engaging in the commerce of the plantations, and other lucrative branches of trade, opened up by the Union, were no longer disposed to see any thing tempting in the proposal of Mar and his insurgents, to destroy the treaty by force; and were, together with the lower classes, much better disposed to listen to the expostulations of the Presbyterian clergy, who sensible of what they had to expect from a counter-revolution, exerted their influence, generally speaking, with great effect, in support of the present Government of King George. The fruits of this change in the temper and feelings of the middling and lower classes, were soon evident in the metropolis and throughout Scotland. In Edinburgh, men of wealth and substance subscribed a bond of association, in order to raise subscriptions for purchasing arms and maintaining troops; and a body of the subscribers themselves formed a regiment, under the name of the Associate Volunteers of Edinburgh. They were four hundred strong. Glasgow, with a prescient consciousness of the commercial eminence which she was to attain by means of the treaty of Union, contributed liberally in money to defend the cause of King George, and raised a good regiment of volunteers. The western counties of Renfrew and Ayrshire offered four thousand men, and the Earl of Glasgow a regiment of a thousand at his own charge. Along the Border, the Whig party were no less active. Dum-

fries distinguished itself, by raising among the inhabitants seven volunteer companies of sixty men each. This was the more necessary, as an attack was apprehended from the many Catholics and disaffected gentlemen who resided in the neighbourhood. The eastern part of Teviotdale supplied the Duke of Roxburgh, Sir William Bennet of Grubet, and Sir John Pringle of Stitchel, with as many men as they could find arms for, being about four companies. The upper part of the county, and the neighbouring shire of Selkirk, were less willing to take arms. The hatred of the Union still prevailed amongst them more than elsewhere, inflamed, probably, by the very circumstance of their vicinity to England, and the recollection of the long wars betwixt the kingdoms. The Cameronian preachers, also, had possessed many speculative shepherds with their whimsical and chimerical doubts concerning the right of uncovenanted magistrates to exercise any authority, even in the most urgent case of national emergency. This doctrine was as rational as if the same scrupulous persons had discovered that it was unlawful to use the assistance of firemen during a conflagration, because they had not taken the Solemn League and Covenant. These scruples were not universal, and assumed as many different hues and shades as there were popular preachers to urge them; they tended greatly to retard and embarrass the exertions of Government to prepare for defence in these districts. Even the popularity of the Reverend Thomas Boston, an eminent divine of the period, could not raise a man

for the service of Government out of his parish of Ettrick.

Notwithstanding, however, partial exceptions, the common people of Scotland, who were not overawed by Jacobite landlords, remained generally faithful to the Protestant line of succession, and showed readiness to arm in its behalf.

Having thus described the preparations for war, on both sides, we will, in the next Chapter, relate the commencement of the campaign.

CHAPTER LXVII.

Raising of the Standard for the Chevalier de St George, and Proclamation of him as James VIII. of Scotland, and III. of England and Ireland—Capture of Perth by the Jacobites, and Seizure of 200 *Stand of Arms from a Vessel in the Frith of Forth—Character of Mar's Army—Incapacity of Mar as a General—Plan of an Expedition into the Low Country.*

[1715.]

On the 6th September, 1715, the noblemen, chiefs of clans, gentlemen, and others, with such followers as they could immediately get in readiness, assembled at Aboyne; and the Earl of Mar, acting as General on the occasion, displayed the royal standard,[1] at Castletown, in Braemar; and proclaimed, with such solemnity as the time and place admitted, James King of Scotland, by the title of James VIII., and King of England, Ireland, and their depend-

[1] [The standard was blue, having on one side the Scottish arms wrought in gold, on the other the thistle and ancient motto *Nemo me impune lacesset*, and underneath "No Union." The pendants of white ribbon were inscribed, the one, "for our wronged King and oppressed country," and the other, "for our lives and liberties."]

encies, by that of James III. The day was stormy, and the gilded ball which was on the top of the standard spear was blown down,—a circumstance which the superstitious Highlanders regarded as ominous of ill fortune; while others called to mind, that, by a strange coincidence, something of the same kind happened in the evil hour when King Charles I. set up his standard at Nottingham.[1]

After this decisive measure, the leaders of the insurgents separated to proclaim King James in the towns where they had influence, and to raise as many followers as each could possibly command, in order to support the daring defiance which they had given to the established Government.

It was not by the mildest of all possible means that a Highland following, as it is called, was brought into the field at that period. Many vassals were, indeed, prompt and ready for service, for which their education and habits prepared them. But there were others who were brought to their chief's standard by much the same enticing mode of solicitation used in our own day for recruiting the navy, and there were many who conceived it prudent not

[1] ["At Nottingham, on the 25th of August, 1642, Charles's standard was erected about six in the evening of a very stormy and tempestuous day, with little other ceremony than the sound of drums and trumpets. Melancholy men observed many ill presages. There was not one regiment of foot yet brought thither; so that the trained bands which the Sheriffs had drawn together, were all the strength the King had for his person and the guard of the standard. It was blown down the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed."—CLARENDON.]

to stir without such a degree of compulsion as might, in case of need, serve as some sort of apology for having been in arms at all. On this raising of the clans in the year 1715, the fiery cross was sent through the districts or countries, as they are termed, inhabited by the different tribes. This emblem consisted of two branches of wood, in the form of a cross, one end singed with fire, and the other stained with blood. The inhabitants transmitted the signal from house to house with all possible speed, and the symbol implied, that those who should not appear at a rendezvous which was named, when the cross was presented, should suffer the extremities of fire and sword.[1] There is an intercepted letter of Mar himself, to John Forbes of Increrau, bailie of his lordship of Kildrummie, which throws considerable light on the nature of a feudal levy:—

"*Inverauld, Sept.* 9, *at Night*, 1715.

"*Jocke*,—Ye was in the right not to come with the hundred men you sent up to-night, when I expected four times their numbers. It is a pretty thing my own people should be refractory, when all the Highlands are rising, and all the Lowlands are expecting us to join them. Is not this the thing we are now about, which they have been wishing these 26 years? And now when it is come, and the King and country's cause is at stake, will they for ever sit still and see all perish? I have used gentle means too long, and so I shall be forced to put other orders I have in execution. I send

[1] [See *The Lady of the Lake*, Note F., p. 316.]

you enclosed an order for the Lordship of Kildrummie, which you will immediately intimate to all my vassals. If they give ready obedience, it will make some amends, and if not, ye may tell them from me, that it will not be in my power to save them (were I willing) from being treated as enemies by these that are soon to join me; and they may depend upon it that I will be the first to propose and order their being so. Particularly, let my own tenants in Kildrummie know, that if they come not forth with their best arms, I will send a party immediately to burn what they shall miss taking from them. And they may believe this only a threat,—but by all that's sacred, I'll put it in execution, let my loss be what it will, that it may be an example to others. You are to tell the gentlemen that I expect them in their best accoutrements on horseback, and no excuse to be accepted of. Go about this with all diligence, and come yourself, and let me know your having done so. All this is not only as ye will be answerable to me, but to your King and country."

This remarkable letter is dated three days after the displaying of the standard. The system of social life in the Highlands, when viewed through the vista of years, has much in it that is interesting and poetical; but few modern readers would desire to exchange conditions with a resident within the romantic bounds of Mar's lordship of Kildrummie, where such were liable to a peremptory summons to arms, thus rudely enforced.

Proceeding towards the Lowlands by short

marches, Mar paused at the small town of Kirkmichael, and afterwards at Mouline in Perthshire, moving slowly, that his friends might have leisure to assemble for his support. In the mean time, King James was proclaimed at Aberdeen by the Earl Marischal; at Dunkeld by the Marquis of Tullibardine, contrary to the wishes of his father, the Duke of Athole; at Castle Gordon by the Marquis of Huntly; at Brechin by the Earl of Panmure, a rich and powerful nobleman, who had acceded to the cause since the rendezvous at the Braemar hunting. The same ceremony was performed at Montrose by the Earl of Southesk; at Dundee by Graham of Duntroon, of the family of the celebrated Claverhouse, and to whom King James had given that memorable person's title of Viscount of Dundee; and at Inverness by the Laird of Borlum, commonly called Brigadier MacIntosh, from his having held that rank in the service of France. This officer made a considerable figure during the Rebellion, in which he had influence to involve his chief and clan, rather contrary to the political sentiments of the former; he judged that Inverness was a station of importance, and therefore left a garrison to secure it from any attack on the part of the Grants, Monroes, or other Whig clans in the vicinity.

The possession of the town of Perth now became a point of great importance, as forming the communication between the Highlands and the Lowlands, and being the natural capital of the fertile countries on the margin of the Tay. The ci-

tizens were divided into two parties, but the magistrates, who, at the head of one part of the inhabitants, had declared for King George, took arms and applied to the Duke of Athole, who remained in allegiance to the ruling monarch, for a party to support them. The Duke sent them three or four hundred Athole Highlanders, and the inhabitants conceived themselves secure, especially as the Earl of Rothes, having assembled about four hundred militia men, was advancing from Fife to their support. The honourable Colonel John Hay, brother to the Earl of Kinnoul, took, however, an opportunity to collect together some fifty or a hundred horse from the gentlemen of Stirling, Perthshire, and Fife, and marched towards the town. The Tory burghers, who were not inferior in numbers, began to assume courage as these succours appeared, and the garrison of Highlanders knowing that although the Duke of Athole remained attached to the Government, his eldest son was in the Earl of Mar's army, gave way to their own inclinations, which were decidedly Jacobitical, and joined Colonel Hay, for the purpose of disarming the Whig burghers, to whose assistance they had been sent.

18th Sept. Thus Perth, by a concurrence of accidents, fell into the hands of the insurgent Jacobites, and gave them the command of all the Lowlands in the east part of Scotland. Still, as the town was but slightly fortified, it might have been recovered by a sudden attack, if a detachment had been made for that purpose, from the regular camp at Stirling. But General

Whetham, who as yet commanded there, was not an officer of activity. He was indeed superseded by the Duke of Argyle, commander-in-chief in Scotland, who came to Stirling on the 14th September; but the opportunity of regaining Perth no longer existed. The town had been speedily reinforced, and secured for the Jacobite interest, by about two hundred men, whom the Earl of Strathmore had raised to join the Earl of Mar, and a body of Fifeshire cavalry who had arrayed themselves for the same service under the Master of Sinclair. Both these noblemen were remarkable characters.

The Earl of Strathmore, doomed to lose his life in this fatal broil, was only about eighteen years old, but at that early age he exhibited every symptom of a brave, generous, and modest disposition, and his premature death disappointed the most flourishing hopes. He engaged in the Rebellion with all the zeal of sincerity, raised a strong regiment of Lowland infantry, and distinguished himself by his attention to the duties of a military life.

The Master of Sinclair, so called because the eldest son of Henry seventh Lord Sinclair, had served in Marlborough's army with good reputation; but he was especially remarkable for having, in the prosecution of an affair of honour, slain two gentlemen of the name of Shaw, brothers to Sir John Shaw of Greenock, and persons of rank and consequence. He was tried by a court-martial, and condemned to death, but escaped from prison, not without the connivance of the Duke of Marl-

borough himself. As the Master of Sinclair's family were Tories, he obtained his pardon on the accession of their party to power in 1712. In 1715, he seems to have taken arms with great reluctance, deeming the cause desperate, and having no confidence in the probity or parts of the Earl of Mar, who assumed the supreme authority. He was a man of a caustic and severe turn of mind, suspicious and satirical, but acute and sensible. He has left Memoirs, curiously illustrative of this ill-fated enterprise, of which he seems totally to have despaired long before its termination.

That part of the Earl of Mar's forces which lay in the eastern and north-eastern parts of Scotland, were now assembled at Perth, the most central place under his authority. They amounted to four or five thousand men, and although formidable for courage and numbers, they had few other qualities necessary to constitute an army. They wanted a competent general, money, arms, ammunition, regulation, discipline; and, above all, a settled purpose and object of the campaign. On each of these deficiencies, and on the manner and degree in which they were severally supplied, I will say a few words, so as to give you some idea of this tumultuary army, before proceeding to detail what they did, and what they left undone.

There can be no doubt, that from the time he embarked in this dangerous enterprise, Mar had secretly determined to put himself at the head of it, and gratify at once his ambition and his revenge. But it does not appear that at first he made any

pretensions to the chief command. On the contrary, he seemed willing to defer to any person of higher rank than his own. The Duke of Gordon would have been a natural choice, from his elevated rank and great power. But, besides that he had not come out in person, though it was not doubted that he approved of his son's doing so, the Duke was a Catholic, and it was not considered politic that Papists should hold any considerable rank in the enterprise, as it would have given rise to doubts among their own party, and reproaches from their opponents. Finally, the Duke, being one of the suspected persons summoned by Government to surrender himself, obeyed the call, and was appointed to reside at Edinburgh on his parole.[1] The Duke of Athole had been a leader of the Jacobites during the disputes concerning the Union, and had agreed to rise in 1707, had the French descent then taken place. Upon him, it is said, the Earl of Mar offered to devolve the command of the forces he had levied. But the Duke refused the offer at his hands. He said, that if the Chevalier de St George had chosen to impose such a responsible charge upon him, he would have opened a direct communication with him personally; and he complained

[1] ["In some places in their drunken frolics, the Highland Jacobites took an opportunity to proclaim the Pretender in the night time. The Government ordered those concerned in these riots to be prosecuted, and for preventing any further disturbance from that party, the Lords Justices ordered some of their chiefs to be confined; the Duke of Gordon to the city of Edinburgh (Sept. 1714), the Marquis of Huntly to his house at Braben, and the Lord Drummond to Castle Drummond."—RAE, p. 77.]

that Mar, before making this proposal to him, had intrigued in his family; having instigated his two sons, the Marquis of Tullibardine and Lord Charles Murray, as well as his uncle, Lord Nairne, to take arms without his consent, and made use of them to seduce the Athole men from their allegiance to their rightful lord. He therefore declined the offer which was made to him of commanding the forces now in rebellion, and Mar retained, as if by occupancy, the chief command of the army. As he was brave, high-born, and possessed of very considerable talent, and as his late connexion with the chiefs of Highland clans, while distributor of Queen Anne's bounty, rendered him highly acceptable to them, his authority was generally submitted to, especially as it was at first supposed that he acted only as a *locum tenens* for the Duke of Berwick, whose speedy arrival had been announced. Time passed on, however, the Duke came not, and the Earl of Mar continued to act as commander-in-chief, until confirmed in it, by an express commission from the Chevalier de St George. As the Earl was unacquainted with military affairs, he used the experience of Lieutenant-General Hamilton and Clephane of Carslogie, who had served during the late war, to supply his deficiencies in that department. But though these gentlemen had both courage, zeal, and warlike skill, they could not assist their principal in what his own capacity could not attain—the power of forming and acting upon a decided plan of tactics.

Money, also much wanted, was but poorly

supplied by such sums as the wealthier adherents of the party could raise among themselves. Some of them had indeed means of their own, but as their funds became exhausted, they were under the necessity of returning home for more; which was with some the apology for absence from their corps much longer and more frequently than was consistent with discipline. But the Highlanders and Lowlanders of inferior rank, could not subsist, or be kept within the bounds of discipline, without regular pay of some kind. Lord Southesk gave five hundred pounds, and the Earl of Panmure the same sum, to meet the exigencies of the moment. Aid was also solicited and obtained from various individuals, friendly to the cause, but unequal, from age or infirmity, to take the field in person; and there were many prudent persons, no doubt, who thought it the wisest course to sacrifice a sum of money, which, if the insurrection were successful, would give them the merit of having aided it, while, if it failed, their lives and estates were secured from the reach of the law against treason. Above all, the insurgents took especial care to secure all the public money that was in the hands of collectors of taxes, and other public officers, and to levy eight months' cess wherever their presence gave them the authority. At length, considerable supplies were received from France, which in a great measure relieved their wants in that particular. Lord Drummond was appointed to be treasurer to the army.

Arms and ammunition were scarce amongst the

insurgents. The Highland clans were, indeed, tolerably armed with their national weapons; but the guns of the Lowlanders were in wretched order, and in a great measure unfit for service. The success of an expedition in some degree remedied this important deficiency.

Among other northern chiefs who remained faithful to George I., amidst the general defection, was the powerful Earl of Sutherland, who, on the news of the insurrection, had immediately proceeded by sea to his Castle of Dunrobin, to collect his vassals. In order that they might be supplied with arms, a vessel at Leith was loaded with firelocks, and other weapons, and sailed for the Earl's country. The wind, however, proving contrary, the master of the ship dropped anchor at Burntisland, on the Fife shore of the frith of Forth, of which he was a native, that he might have an opportunity to see his wife and children before his departure.

The Master of Sinclair, formerly mentioned, whose family estate and interest lay on the shores of the Frith, got information of this circumstance, and suggested the seizure of these arms by a scheme which argued talent and activity, and was the first symptom which the insurgents had given of either one or other. The Master of Sinclair, with about fourscore troopers, and carrying with him a number of baggage-horses, left Perth about night fall, and, to baffle observation, took a circuitous road to Burntisland. He arrived in that little seaport town with all the effect of a complete surprise, and though the bark had hauled out of

2d Oct.

the harbour into the roadstead, he boarded her by means of boats, and secured possession of all the arms, which amounted to three hundred. Mar, as had been agreed upon, protected the return of the detachment by advancing a body of five hundred Highlanders as far as Auchtertool, half-way between Perth and Burntisland. On this occasion, the Master of Sinclair, an old officer, and acquainted with the usual discipline of war, was greatly annoyed by the disorderly conduct of the volunteer forces under his charge. He could not prevail on the gentlemen of his squadron to keep watch with any vigilance, nor prevent them from crowding into alehouses to drink. In returning homeward, several of them broke off without leave, either to visit their own houses which were near the road, or to indulge themselves in the pleasure of teazing such Presbyterian ministers as came in their way. When he arrived at Auchtertool, the disorder was yet greater. The Highland detachment, many of them Mar's own men from Dee-side, had broken their ranks, and were dispersed over the country, pillaging the farm-houses; when Sinclair got a Highland officer to command them to desist and return, they refused to obey, nor was there any means of bringing them off, save by spreading a report that the enemy's dragoons were approaching; then they drew together with wonderful celerity, and submitted to be led back to Perth with the arms that had been seized, which went some length to remedy the scarcity of that most important article in the insurgent army.

A greater deficiency even than that of arms, was the want of a general capable to form the plan of a campaign, suitable to his situation and the character of his troops, and then carry it into effect with firmness, celerity, and decision. Generals Hamilton and Gordon, both in Mar's army, were men of some military experience, but totally void of that comprehensive genius which combines and executes the manœuvres of a campaign; and Mar himself, as already intimated, seems to have been unacquainted even with the mere mechanical part of the profession. He appears to have thought that the principal part of his work was done when the insurrection was set on foot, and that once effected, that it would carry itself on, and the rebels increase in such numbers, as to render resistance impossible. The greater part of the Jacobites in East Lothian were, he knew, ready to take horse; so were those of the counties of Dumfries and Lanark; but they were separated from his army by the frith of Forth, and likely to require assistance from him, in order to secure protection when they assembled. Montrose, or Dundee, with half the men whom Mar had already under him, would have marched without hesitation towards Stirling, and compelled the Duke of Argyle, who had not as yet quite two thousand men, either to fight or retreat, which must have opened the Lowlands and the Borders to the operations of the insurgents. But such was the reputation of the Duke, that Mar resolved not to encounter him until he should have received all the reinforcements from the north and west which he

could possibly expect, in the hope, by assembling an immense superiority of force, to counterbalance the acknowledged military skill of his distinguished opponent.

As it was essential, however, to the Earl of Mar's purpose, to spread the flame of insurrection into the Lowlands, he determined not to allow the check which Argyle's forces and position placed on his movements, to prevent his attempting a diversion by passing at all hazards a considerable detachment of his army into Lothian, to support and encourage his Jacobite friends there. His proposal was to collect small vessels and boats on the Fife side of the frith, and dispatch them across with a division of his army, who were to land on such part of the coast of East Lothian as the wind should permit, and unite themselves with the malecontents wherever they might find them in strength. But ere noticing the fate of this expedition, we must leave Mar and his army, to trace the progress of the insurrection in the south of Scotland and the north of England, where it had already broken out.

CHAPTER LXVIII.

Progress of Insurrection in the South of Scotland— Catastrophe in the Family of Hepburn of Keith—Rising of the Jacobites of the Western Frontier under Kenmure, and of those of the North of England, under Forster—Junction of Kenmure's Party with that of Forster—Reinforcements join Mar at Perth, his headquarters—Delay in the Rising of the Western Clans—Procrastination of Mar—Descent of Mac Intosh upon Lothian—Junction of Mac Intosh with Kenmure and Forster at Kelso— They hold a Council, to decide on their plan of Operations.

[1715.]

THE reports of invasion from France—of King James's landing with a foreign force, abundance of arms, ammunition, and treasure, and the full purpose to reward his friends and chastise his enemies —the same exaggerated intelligence from England, concerning general discontent and local insurrection, which had raised the north of Scotland in arms—had their effect also on the gentlemen of Jacobite principles in the south of that country, and in the contiguous frontiers of England, where a number of Catholic families, and others devoted to the exiled family, were still to be found. Ere the hopes inspired by such favourable rumours had

passed away, came the more veracious intelligence, that the Earl of Mar had set up James's standard in the Highlands, and presently after, that he had taken possession of Perth—that many noblemen of distinguished rank and interest had joined his camp, and that his numbers were still increasing.

These reports gave a natural impulse to the zeal of men, who, having long professed themselves the liege subjects of the Stewart family, were ashamed to sit still when a gallant effort was made to effect their restoration, by what was reported to be, and in very truth was, a very strong party, and an army much larger than those commanded by Montrose or Dundee, and composed chiefly of the same description of troops at the head of whom they had gained their victories. The country, therefore, through most of its districts, was heaving with the convulsive throes which precede civil war, like those which announce an earthquake. Events hurried on to decide the doubtful and embolden the timorous. The active measures resolved on by government, in arresting suspected persons throughout England and the southern parts of Scotland, obliged the professed Jacobites to bring their minds to a resolution, and either expose their persons to the dangers of civil war, or their characters to the shame of being judged wanting in the hour of action, to all the protestations which they had made in those of safety and peace.

These considerations decided men according to their characters, some to submit themselves to imprisonment, for the safety of their lives and for-

tunes—others to draw the sword, and venture their all in support of their avowed principles. Those gentlemen who embraced the latter course, more honourable, or more imprudent perhaps, began to leave their homes, and drew together in such bodies as might enable them to resist the efforts of the magistrates, or troops sent to arrest them. The civil war began by a very tragical rencounter in a family, with the descendants of which your grandfather has long enjoyed peculiar intimacy, and of which I give the particulars after the account preserved by them, though it is also mentioned in most histories of the times.

Among other families of distinction in East Lothian, that of Mr Hepburn of Keith was devotedly attached to the interests of the House of Stewart, and he determined to exert himself to the utmost in the approaching conflict. He had several sons, with whom, and his servants, he had determined to join a troop to be raised in East Lothian, and commanded by the Earl of Winton. This gentleman being much respected in the county, it was deemed of importance to prevent his showing an example which was likely to be generally followed. For this purpose, Mr Hepburn of Humbie and Dr Sinclair of Hermandston resolved to lay the Laird of Keith under arrest, and proceeded towards his house with a party of the horse-militia, on the morning of the 8th of October, 1715, which happened to be the very morning that Keith had appointed to set forth on his campaign, having made all preparations on the preceding evening. The family

had assembled for the last time at the breakfast-table, when it was observed that one of the young ladies looked more sad and disconsolate, than even the departure of her father and brothers upon a distant and precarious expedition seemed to warrant at that period, when the fair sex were as enthusiastic in politics as the men.

Miss Hepburn was easily induced to tell the cause of her fears. She had dreamed she saw her youngest brother, a youth of great hopes, and generally esteemed, shot by a man whose features were impressed on her recollection, and stretched dead on the floor of the room in which they were now assembled. The females of the family listened and argued—the men laughed, and turned the visionary into ridicule. The horses were saddled, and led out into the court-yard, when a mounted party was discovered advancing along the flat ground, in front of the mansion-house, called the Plain of Keith. The gate was shut; and when Dr Sinclair, who was most active in the matter, had announced his purpose, and was asked for his warrant, he handed in at a window the commission of the Marquis of Tweeddale, Lord Lieutenant of the county. This Keith returned with contempt, and announced that he would stand on his defence. The party within mounted their horses, and sallied out, determined to make their way; and Keith, discharging a pistol in the air, charged the Doctor sword in hand; the militia then fired, and the youngest of the Hepburns was killed on the spot. The sister beheld the catastrophe

from the window, and to the end of her life persisted that the homicide had the features of the person whom she saw in her dream. The corpse was carried into the room where they had so lately breakfasted, and Keith, after having paid this heavy tax to the demon of civil war, rode off with the rest of his party to join the insurgents. Dr Sinclair was censured very generally, for letting his party zeal hurry him into a personal encounter with so near a neighbour and familiar friend; he vindicated himself, by asserting that his intentions were to save Keith from the consequences into which his rash zeal for the Stewart family was about to precipitate that gentleman and his family. But Dr Sinclair ought to have been prepared to expect, that a high-spirited man, with arms in his hands, was certain to resist this violent mode of opening his eyes to the rashness of his conduct; and he who attempts to make either religious or political converts by compulsion, must be charged with the consequences of such violence as is most likely to ensue.

Mr Hepburn and his remaining sons joined the Jacobite gentry of the neighbourhood, to the number of fifty or sixty men, and directed their course westward towards the Borders, where a considerable party were in arms for the same cause. The leader of the East Lothian troop was the Earl of Winton, a young nobleman twenty-five years old, said to be afflicted by a vicissitude of spirits approaching to lunacy. His life had been marked by some strange singularities, as that of his living a long

time as bellows-blower and assistant to a blacksmith in France, without holding any communication with his country or family. But, if we judge from his conduct in the rebellion, Lord Winton appears to have displayed more sense and prudence than most of those engaged in that unfortunate affair.

This Lothian insurrection soon merged in the two principal southern risings, which took place in Dumfries-shire and Galloway in Scotland, and in Northumberland and Cumberland in England.

On the western frontier of Scotland, there were many families not only Jacobites in politics, but Roman Catholics in religion; and therefore bound by a double tie to the heir of James II., who, for the sake of that form of faith, may be justly thought to have forfeited his kingdoms. Among the rest, the Earl of Nithisdale, combining in his person the representation of two noble families, those of the Lord Herries and the Lord Maxwell, might be considered as the natural leader of the party. But William, Vicount Kenmure, in Galloway, a Protestant, was preferred as chief of the enterprise, as it was not thought prudent to bring Catholics too much forward in the affair, on account of the scandal to which their promotion might give rise. Many neighbouring gentlemen were willing to throw themselves and their fortunes into the same adventure in which Nithisdale and Kenmure stood committed. The latter was a man of good sense and resolution, well acquainted with civil affairs, but a total stranger to the military art.

In the beginning of October, the plan of insurrection was so far ripened, that the gentlemen of Galloway, Nithisdale, and Annandale, proposed by a sudden effort to possess themselves of the county town of Dumfries. The town was protected on the one side by the river Nith; on the others it might be considered as open. But the zeal of the inhabitants, and of the Whig gentlemen of the neighbourhood,[1] baffled the enterprise, which must otherwise have been attended with credit to the arms of the insurgents. The Lord Lieutenant and his deputies collected the fencible men of the county, and brought several large parties into Dumfries, to support, if necessary, the defence of the place. The provost, Robert Corbett, Esq. mustered the citizens, and putting himself at their head, harangued them in a style peculiarly calculated to inspire confidence. He reminded them that their laws and religion were at stake, and that their cause resembled that of the Israelites, when led by Joshua

[1] ["The ministers of the neighbouring parishes (then in Dumfries for the sacramental dispensation) went out in the afternoon, and returned that night with their fencible parishioners armed. Expresses were also sent to the loyal gentlemen and people in the adjacent country, and the town was provided next day with a considerable body of armed men from the several parishes in Nithsdale and Galloway all volunteers. So quick were their motions on this occasion, that Captain Fullarton, Provost of Kirkcudbright and others, set out from thence with a company of foot, on the 12th in the morning, and arrived at Dumfries that night, having marched no less than twenty-four long miles of very bad way. And those who lived in the remotest parts of the county, and were latest in getting the alarm, were all in Dumfries within two days after."—RAE, p. 249.]

against the unbelieving inhabitants of the land of Canaan.

"Nevertheless," said the considerate Provost of Dumfries; "as I, who am your unworthy leader, cannot pretend to any divine commission like that of the son of Nun, I do not take upon me to recommend the extermination of your enemies, as the judge of Israel was commanded to do by a special revelation. On the contrary, I earnestly entreat you to use your assured victory with clemency, and remember, that the misguided persons opposed to you are still your countrymen and brethren." This oration, which, instead of fixing the minds of his followers on a doubtful contest, instructed them only how to make use of a certain victory, had a great effect in encouraging the bands of the sagacious provost, who, with their auxiliaries from the country, drew out and took a position to cover the town of Dumfries.

Lord Kenmure marched from Moffat, with about a hundred and fifty horse, on Wednesday the 13th of October, with the purpose of occupying Dumfries. But finding the friends of Government in such a state of preparation, he became speedily aware that he could not with a handful of cavalry propose to storm a town, the citizens of which were determined on resistance. The Jacobite gentlemen, therefore, retreated to Moffat,[1] and

[1] ["On Thursday, when they entered the town of Lochmaben, they proclaimed the Pretender there. Upon their approach, the people of that place had put their cattle in a fold to make room for their horses, but the beasts having broken the fold, some

thence to Langholm and Hawick. From thence they took their departure for the eastward, to join the Northumberland gentlemen who were in arms in the same cause, and towards whom we must now direct our attention.

In England, a very dangerous and extensive purpose of insurrection certainly existed shortly after the Queen's death; but the exertions of Government had been so great in all quarters, that it was every where disconcerted or suppressed. The University of Oxford was supposed to be highly dissatisfied at the accession of the House of Hanover; and there, as well as at Bath, and elsewhere in the west, horses, arms, and ammunition, were seized in considerable quantities, and most of the Tory gentlemen who were suspected of harbouring dangerous intentions, were either arrested, or delivered themselves up on the summons of Government. Amongst these was Sir William Wyndham, one of the principal leaders of the High Church party.

In Northumberland and Cumberland, the Tories, at a greater distance from the power of the Go-

of them drew home to the town a little before day; and a townsman going to hunt one of them out of his yard, called on his dog, named *Help*.—help, help! Hereupon the centries called, *Where?* And apprehending it had been a party from Dumfries to attack them, gave the alarm to the rebels, who got up in great confusion. It is said their consternation was such as made some of them cut up their boots for haste to get them on; others, who could not get their horses in an instant, were at throwing them off, that they might flee on foot; and some who had mounted their horses, had almost dropt off for fear, until the mistake was discovered."—RAE, p. 254.]

vernment, were easily inclined to action; they were, besides, greatly influenced by the news of the Earl of Mar's army, which, though large enough to have done more than it ever attempted, was still much magnified by common fame. The unfortunate Earl of Derwentwater, who acted so prominent a part in this shortlived struggle, was by birth connected with the exiled royal family; his lady also was a bigot in their cause; and the Catholic religion, which he professed, made it almost a crime in this nobleman to remain peaceful on the present occasion. Thomas Forster of Bamborough, member of Parliament for the county of Northumberland, was equally attached to the Jacobite cause; being a Church-of-England man, he was adopted as the commander-in-chief of the insurrection, for the same reason that the Lord Kenmure was preferred to the Earl of Nithisdale in the command of the Scottish levies. Warrants being issued against the Earl of Derwentwater and Mr Forster, they absconded, and lurked for a few days among their friends in Northumberland, till a general consultation could be held of the principal northern Tories, at the house of Mr Fenwick of Bywell; when, as they foresaw that, if they should be arrested, and separately examined, they could scarce frame such a defence as might save them from the charge of high treason, they resolved to unite in a body, and try the chance that fortune might send them. With this purpose they held a meeting at a place called Greenrig, where Forster arrived with 6th Oct.

about twenty horse. They went from this to the top of a hill, called the Waterfalls, where they were joined by Lord Derwentwater. This reinforcement made them near sixty horse, with which they proceeded to the small town of Rothbury, and from thence to Warkworth, where they proclaimed King James III. On the 10th of October they marched to Morpeth, where they received further reinforcements, which raised them to three hundred horse, the highest number which they ever attained. Some of these gentlemen remained undecided till the last fatal moment, and amongst these was John Hall of Otterburn. He attended a meeting of the quarter sessions, which was held at Alnwick, for the purpose of taking measures for quelling the rebellion, but left it with such precipitation that he forgot his hat upon the bench, and joined the fatal meeting at the Waterfalls.

The insurgents could levy no foot soldiers, though many men offered to join them; for they had neither arms to equip them, nor money to pay them. This want of infantry was the principal cause why they did not make an immediate attack on Newcastle, which had formed part of their original plan. But the town, though not regularly fortified, was surrounded with a high stone wall, with old-fashioned gates. The magistrates, who were zealous on the side of Government, caused the gates to be walled up with masonry, and raised a body of seven hundred volunteers for the defence of the town, to which the keelmen, or bargemen employed in the coal-trade upon the Tyne, made

offer of seven hundred more; and, in the course of a day or two, General Carpenter arrived with part of those forces with whom he afterwards attacked the insurgents. After this last reinforcement, the *gentlemen*, as Forster's cavalry were called, lost all hopes of surprising Newcastle. About the same time, however, a beam of success which attended their arms, might be said just to glimmer and disappear. This was the exploit of a gentleman named Lancelot Errington, who, by a dexterous stratagem, contrived to surprise the small castle, or fort, upon Holy Island,[1] which might have been useful to the insurgents in maintaining their foreign communication. But before Errington could receive the necessary supplies of men and provisions, the governor of Berwick detached a party of thirty soldiers, and about fifty volunteers, who, crossing the sands at low water, attacked the little fort, and carried it sword in hand. Errington was wounded and taken prisoner, but afterwards made his escape.

This disappointment, with the news that troops were advancing to succour Newcastle, decided Forster and his followers to unite themselves with the Viscount Kenmure and the Scottish gentlemen

[1] ["Lindisfarne," about eight miles S.E. of Berwick, "was called Holy Island, from the sanctity of its ancient monastery, and from its having been the Episcopal seat of the See of Durham during the early ages of British Christianity. It is not properly an island, but rather a semi-isle; for, although surrounded by the sea at full tide, the ebb leaves the sands dry between it and the coast of Northumberland, from which it is about three miles distant."—*Note, Marmion.* Canto ii. stanza i.]

engaged in the same cause. The English express found Kenmure near Hawick, at a moment when his little band of about two hundred men had almost determined to give up the enterprise. Upon receiving Forster's communication, however, they resolved to join him at Rothbury.

On the 19th of October, the two bodies of insurgents met at Rothbury, and inspected each other's military state and equipments, with the anxiety of mingled hope and apprehension. The general character of the troops was the same, but the Scots seemed the best prepared for action, being mounted on strong hardy horses, fit for the charge, and, though but poorly disciplined, were well armed with the basket-hilted broadswords, then common throughout Scotland. The English gentlemen, on the other hand, were mounted on fleet blood-horses, better adapted for the race-course and hunting-field than for action. There was among them a great want of war-saddles, curb-bridles, and, above all, of swords and pistols; so that the Scots were inclined to doubt whether men so well equipped for flight, and so imperfectly prepared for combat, might not, in case of an encounter, take the safer course, and leave them in the lurch. Their want of swords in particular, at least of cutting swords fit for the cavalry service is proved by an anecdote. It is said, that as they entered the town of Wooler, their commanding-officer gave the word—"Gentlemen, you that have got swords, draw them;" to which a fellow among the crowd answered, not irrelevantly—"And what shall they

do who have none?" When Forster, by means of one of his captains named Douglas, had opened a direct communication with Mar's army, the messenger stated that the English were willing to have given horses worth L.25—then a considerable price—for such swords as are generally worn by Highlanders.

It may be also here noticed, that out of the four troops commanded by Forster, the two raised by Lord Derwentwater and Lord Widrington were, like those of the Scots, composed of gentlemen, and their relations and dependents. But the third and fourth troops differed considerably from the others in their composition. The one was commanded by John Hunter, who united the character of a Border farmer with that of a contraband trader; the other by the same Douglas whom we have just mentioned, who was remarkable for his dexterity and success in searching for arms and horses, a trade which he is said not to have limited to the time of the Rebellion. Into the troops of these last-named officers, many persons of slender reputation were introduced, who had either lived by smuggling, or by the ancient Border practice of horse-lifting, as it was called. These light and suspicious characters, however, fought with determined courage at the barricades of Preston.

The motions of Kenmure and Forster were now decided by the news, that a detachment from Mar's army had been sent across the frith of Forth to join them; and this requires us to return to the Northern insurrection, which was now endeavour-

ing to extend and connect itself with that which had broke out on the Border. The Earl of Mar, it must be observed, had, from the first moment of his arrival at Perth, or at least as soon as he was joined by a disposable force, designed to send a party over the frith into Lothian, who should encourage the Jacobites in that country to rise; and he proposed to confer this command upon the Master of Sinclair. As, however, this separation of his forces must have considerably weakened his own army, and perhaps exposed him to an unwelcome visit from the Duke of Argyle, Mar postponed his purpose until he should be joined by reinforcements. These were now pouring fast into Perth.

From the North, the Marquis of Huntly, one of the most powerful of the confederacy, joined the army at Perth with foot and horse, Lowlanders and Highlanders, to the amount of nearly four thousand men. The Earl-Marischal had the day before brought up his own power, consisting of about eighty horse. The arrival of these noblemen brought some seeds of dissension into the camp. Marischal, so unlike the wisdom of his riper years, with the indiscretion of a very young man, gave just offence to Huntly, by endeavouring to deprive him of a part of his following.

The occasion was this: The MacPhersons, a very stout, hardy clan, who are called in Gaelic, MacVeurigh, and headed by Cluny MacPherson, held some possessions of the Gordon family, and therefore naturally placed themselves under the Marquis of Huntly's banner on the present occa-

sion, although it might be truly said, that in general they were by no means the most tractable vassals. Marischal endeavoured to prevail on this Clan-Vourigh to place themselves under his command instead of that of Huntly, alleging, that as the MacPhersons always piqued themselves on being a distinguished branch of the great confederacy called Clan-Chattan, so was he, by his name of Keith, the natural chief of the confederacy aforesaid. Mar is said to have yielded some countenance to the claim, the singularity of which affords a curious picture of the matters with which these insurgents were occupied. The cause of Mar's taking part in such a debate was alleged to be, the desire which he had to lower the estimation of Huntly's power and numbers. The Mac-Phersons, however, considered the broad lands which they held of the Gordon as better reason for rendering him their allegiance, than the etymological arguments urged by the Earl Marischal, and refused to desert the banner under which they had come to the field.

Another circumstance early disgusted Huntly with an enterprise in which he could not hope to gain any thing, and which placed in peril a princely estate, and a ducal title. Besides about three squadrons of gentlemen, chiefly of his own name, well mounted and well armed, he had brought into the field a squadron of some fifty men strong, whom he termed Light Horse, though totally unfit for the service of *petite guerre* which that name implies. A satirist describes them as consisting

of great lubberly fellows, in bonnets, without boots, and mounted on long-tailed little ponies, with snaffle bridles, the riders being much the bigger animals of the two; and instead of pistols, these horsemen were armed with great rusty muskets, tied on their backs with ropes. These uncouth cavaliers excited a degree of mirth and ridicule among the more civilized southern gentry; which is not surprising, any more than that both the men, and Huntly, their commander, felt and resented such uncivil treatment—a feeling which was gradually increased into a disinclination to the cause in which they had received the indignity.

Besides these Northern forces, Mar also expected many powerful succours from the north-west, which comprehended the tribes termed, during that insurrection, by way of excellence, The Clans. The chiefs of these families had readily agreed to hold the rendezvous which had been settled at the hunting match of Braemar; but none of them, save Glengarry, were very hasty in recollecting their promise. Of this high chief a contemporary says, it would be hard to say whether he had more of the lion, the fox, or the bear, in his disposition; for he was at least as crafty and rough as he was courageous and gallant. At any rate, both his faults and virtues were consistent with his character, which attracted more admiration than that of any other engaged in Mar's insurrection. He levied his men, and marched to the braes of Glenorchy, where, after remaining eight days, he was joined by the Captain of Clan-

ranald, and Sir John MacLean; who came, the one with the MacDonalds of Moidart and Arisaig; the other with a regiment of his own name, from the isle of Mull. A detachment of these clans commenced the war by an attempt to surprise the garrison at Inverlochy. They succeeded in taking some outworks, and made the defenders prisoners, but failed in their attack upon the place, the soldiers being on their guard.

Still, though hostilities were in a manner begun, these western levies were far from complete. Sewart of Appin, and Cameron of Lochiel, would neither of them move; and the Breadalbane men, whose assistance had been promised by the singular Earl of that name, were equally tardy. There was probably little inclination, on the part of those clans who were near neighbours to the Duke of Argyle, and some of them Campbells, to displease that powerful and much-respected nobleman. Another mighty limb of the conspiracy, lying also in the north-western extremity of Scotland, was the Earl of Seaforth, chief of the MacKenzies, who could bring into the field from two to three thousand men of his own name, and that of MacRae, and other clans dependent upon him. But he also was prevented from taking the field and joining Mar, by the operations of the Earl of Sutherland, who, taking the chief command of some of the northern clans disposed to favour government—as, the Monroes, under their chief, Monro of Foulis; the MacKays, under Lord Rae; the numerous and powerful clan of Grant, along

with his own following—had assembled a little army, with which he made a demonstration towards the bridge of Alness. Thus, at the head of a body of about twelve or fifteen hundred men, Sutherland was so stationed on the verge of Seaforth's country, that the latter chief could not collect his men, and move southward to join Mar, without leaving his estates exposed to ravage. Seaforth prepared to move, however, so soon as circumstances would admit, for while he faced the Earl of Sutherland with about eighteen hundred men, he sent Sir John MacKenzie of Coull to possess himself of Inverness, Brigadier MacIntosh, by whom it was occupied for James VIII., having moved southward to Perth.

Thus, from one circumstance or another, the raising of the western clans was greatly delayed; and Mar, whose plan it was not to attempt any thing till he should have collected the whole force together which he could possibly expect, was, or thought himself, obliged to remain at Perth, long after he had assembled an army sufficient to attack the Duke of Argyle, and force his way into the southern part of Scotland, where the news of his success, and the Duke's defeat or retreat, together with the hope of plunder, would have decided those tardy western chieftains, who were yet hesitating whether they should join him or not. Mar, however, tried to influence them by arguments of a different nature, such as he had the power of offering; and despatched General Gordon to expedite these levies, with particular instructions to seize

on the Duke of Argyle's castle at Inverary, and the arms understood to be deposited there. There was afterwards supposed to be some personal spleen, in the Earl's thus beginning direct hostilities against his great opponent; but it must be said, to the honour of the rebel general, that he resolved not to set the example of beginning with fire and sword; and therefore directed, that though General Gordon might threaten to burn the castle at Inverary, he was on no account to proceed to such extremity without farther orders. His object probably was, besides a desire to possess the arms said to be in the place, to effect a complete breach between the Duke of Argyle and the clans in his vicinity, which must have necessarily been attended with great diminution of the Duke's influence. We shall see presently how far this line of policy appears to have succeeded.

During the currency of these events, Mar received information of the partial rising which had taken place in Northumberland, and the disposition to similar movements which showed itself in various parts of Scotland. It might have been thought, that these tidings would have induced him at length to burst from the sort of confinement, in which the small body commanded by Argyle retained so superior an army. If Mar judged that the troops under his command, assembled at Perth, were too few to attack a force which they more than doubled, there remained a plan of manœuvring by which he might encounter Argyle at a yet greater advantage. He might have commanded General

Gordon, when he had collected the western clans, who could not amount to fewer than four thousand men, instead of amusing himself at Inverary, to direct their course to the fords of Frew, by which the river Forth may be crossed above Stirling, and near to its source. Such a movement would have menaced the Duke from the westward, while Mar himself might have advanced against him from the north, and endeavoured to possess himself of Stirling bridge, which was not very strongly guarded. The insurgent cavalry of Lord Kenmure could also have co-operated in such a plan, by advancing from Dumfries towards Glasgow, and threatening the west of Scotland. It is plain that the Duke of Argyle saw the danger of being thus cut off from the western counties, where Government had many zealous adherents; for he ordered up five hundred men from Glasgow to join his camp at Stirling; and on the 24th of September, commanded all the regiments of fencibles and volunteers in the west of Scotland to repair to Glasgow, as the most advantageous central point from which to protect the country, and cover his own encampment; and established garrisons at the village of Drymen, and also in several gentlemen's houses adjacent to the fords of Frew, to prevent or retard any descent of the Highlanders into the Low Country by that pass. But the warlike habits of the Highlanders were greatly superior to those of the raw Lowland levies, whom they would probably have treated with little ceremony.

Nevertheless, the Earl of Mar, far from adopting a plan so decisive, resolved to afford support to Kenmure and Forster, by his original plan of marching a detachment to their assistance, instead of moving his whole force towards the Lowlands. This, he conceived, might be sufficient to give them the aid and protection of a strong body of infantry, and enable them to strengthen and increase their numbers, whilst the measure allowed him to remain undisturbed at Perth, to await the final result of his intrigues in the Highlands, and those which he had commenced at the Court of the Chevalier de St George. There were many and obvious dangers in making the proposed movement. A great inlet of the sea was to be crossed; and if the passage was to be attempted about Dunfermline or Inverkeithing, where the Forth was less broad, it was to be feared that the bustle of collecting boats, and the march of the troops which were to form the detachment, might give warning to the Duke of Argyle of what was intended, who was likely to send a body of his dragoons to surprise and cut off the detachment on their arrival at the southern side of the Forth. On the other hand, to attempt the passage over the lower part of the frith, where vessels were more numerous, and could be assembled with less observation, was to expose the detachment to the uncertainties of a passage of fifteen or eighteen miles across, which was guarded by men-of-war, with their boats and launches, to which the officers of the customs at every seaport had the most strict orders to transmit intelligence

of whatever movement might be attempted by the rebels. Upon a choice of difficulties, however, the crossing of the frith from Pittenweem, Crail, and other towns situated to the eastward on the Fife coast, was determined on.

The troops destined for the adventure were Mar's own regiment, as it was called, consisting of the Farquharsons, and others from the banks of the Dee—that of the MacIntoshes—those of Lords Strathmore, Nairne, and Lord Charles Murray, all Highlanders, excepting Lord Strathmore's Lowland regiment. They made up in all about two thousand five hundred men; for in the rebel army the regiments were weak in numbers, Mar having gratified the chiefs, by giving each the commission of colonel, and allowing him the satisfaction to form a battalion out of his own followers, however few in number.

The intended expedition was arranged with some address. Considerable parties of horse traversed Fifeshire in various directions, proclaiming James VIII., and levying the cess of the county, though in very different proportions on those whom they accounted friends or enemies to their cause, their demands upon the latter being both larger, and more rigorously enforced. These movements were contrived to distract the attention of the Whigs, and that of the Duke of Argyle, by various rumours, tending to conceal Mar's real purpose of sending a detachment across the frith. For the same purpose, when their intention could be no longer concealed, the English men-of-war were

deceived concerning the place where the attempt was to be made. Mar threw troops into the castle of Burntisland, and seemed busy in collecting vessels in that little port. The armed ships were induced by these appearances to slip their cables, and, standing over to Burntisland, commenced a cannonade, which was returned by the rebels from a battery which they had constructed on the outer port of the harbour, with little damage on either side.

By these feints Mar was enabled to get the troops, designed to form the expedition, moved in secrecy down to Pittenweem, the Ely, Crail, and other small ports so numerous on that coast. They were placed under the command of MacIntosh of Borlum, already mentioned, commonly called Brigadier MacIntosh, a Highland gentleman, who was trained to regular war in the French service. He was a bold, rough soldier, but is stated to have degraded the character by a love of plunder which would have better become a lower rank in the army. But this may have been a false or exaggerated charge.

The English vessels of war received notice of the design, or observed the embarkation from their topmasts, but too late to offer effectual interruption. They weighed anchor, however, at flood-tide, and sailed to intercept the flotilla of the insurgents. Nevertheless, they only captured a single boat, with about forty Highlanders. Some of the vessels were, however, forced back to the Fife coast, from which they came; and the boats which

bore Lord Strathmore's Lowland regiment, and others filled with Highlanders, were forced into the island of May, in the mouth of the Forth, where they were blockaded by the men-of-war. The gallant young Earl intrenched himself on the island, and harangued his followers on the fidelity which they owed to the cause; and undertook to make his own faith evident, by exposing his person wherever the peril should prove greatest, and accounting it an honour to die in the service of the Prince for whom he had taken arms. Blockaded in an almost desert island, this young nobleman had the additional difficulty of subduing quarrels and jealousies betwixt the Highlanders and his own followers from Angus. These dissensions ran so high, that the Lowlanders resolved to embrace an opportunity to escape from the island with their small craft, and leave the Highlanders to their fate. The proposal was rejected by Strathmore with ineffable disdain, nor would he leave his very unpleasant situation, till the change of winds and waves afforded him a fair opportunity of leading all who had been sharers in his misfortune in safety back to the coast they sailed from.

Mean time the greater part of the detachment designed for the descent upon Lothian, being about sixteen hundred men, succeeded in their desperate attempt, by landing at North Berwick, Aberlady, Gulan, and other places on the southern shores of the frith, from whence they marched upon Haddington, where they again formed a junction, and refreshed themselves for a night, till they

should learn the fate of their friends who had not yet appeared. We have not the means of knowing whether MacIntosh had any precise orders for his conduct when he should find himself in Lothian. The despatches of Mar would lead us to infer that he had instructions, which ought to have directed his march instantly to the Borders, to unite himself with Kenmure and Forster. But he must have had considerable latitude in his orders, since it was almost impossible to frame them in such a manner as to meet, with any degree of precision, the circumstances in which he might be placed, and much must have, of course, been intrusted to his own discretion. The surprise, however, was great, even in the Brigadier's own little army, when, instead of marching southward, as they had expected, they were ordered to face about and advance rapidly on the capital.

This movement Mar afterwards termed a mistake on the Brigadier's part. But it was probably occasioned by the information which MacIntosh received from friends in Edinburgh, that the capital might be occupied by a rapid march, before it could be relieved by the Duke of Argyle, who was lying thirty miles off. The success of such a surprise must necessarily have given great eclat to the arms of the insurgents, with the more solid advantages of obtaining large supplies both of arms and money, and of intercepting the communication between the Duke of Argyle and the south. It is also probable, that MacIntosh might have some expectation of an insurrection taking place in Edin-

burgh, on the news of his approach.[1] But, whatever were his hopes and motives, he marched with his small force on the metropolis, 14th October, 1715, and the movement excited the most universal alarm.

The Lord Provost, a gentleman named Campbell, was a man of sense and activity. The instant that he heard of the Highlanders having arrived at Haddington, he sent information to the Duke of Argyle, and arming the city guard, trained bands, and volunteers, took such precautions as he could to defend the city, which, though surrounded by a high wall, was far from being tenable even against a coup-de-main. The Duke of Argyle, foreseeing all the advantages which the insurgents would gain even from the temporary possession of the capital, resolved on this, as on other occasions, to make activity supply the want of numbers. He mounted two hundred infantry soldiers on country horses, and uniting them with three hundred chosen dragoons, placed himself at their head, and made a forced march from Stirling to relieve Edinburgh. This he accomplished with such rapidity, that he entered the West Port of Edinburgh about ten o'clock at night, just about the same moment that MacIntosh had reached the place where Piershill barracks are now

[1] [Lockhart and a number of the gentry who would have supported MacIntosh, were unapprized of his expedition; and the moment the authorities at Edinburgh heard of his landing, they sent a party of militia horse, who apprehended Lockhart and lodged him in the castle, by which means the others were overawed, and remained quiet.—LOCKHART *Papers*, vol. i. p. 495.]

situated, within a mile of the eastern gate of the city. Thus the metropolis, which seemed to be a prey for the first occupant, was saved by the promptitude of the Duke of Argyle. His arrival spread universal joy among the friends of Government, who, from something resembling despair, passed to the opposite extremity of hope and triumph. The town had been reinforced during the day by various parties of horse militia from Berwickshire and Mid-Lothian, and many volunteers, whom the news of the Duke of Argyle's arrival greatly augmented, not so much on account of the number which attended him, as of the general confidence reposed in his talents and character.

The advancing enemy also felt the charm communicated by the Duke's arrival; but to them it conveyed apprehension and dismay, and changed their leader's hopes of success into a desire to provide for the safety of his small detachment, respecting which he was probably the more anxious that the number of the Duke's forces were in all likelihood exaggerated, and besides consisted chiefly of cavalry, respecting whom the Highlanders entertained at that time a superstitious terror. Moved by such considerations, and turning off the road to Edinburgh, at the place called Jock's Lodge, Brigadier MacIntosh directed his march upon Leith, which he entered without opposition. In the prison of that place he found the forty men belonging to his own detachment who had been taken during the passage, and who were now set at liberty. The Highlanders next took possession of such money

and provisions as they found in the Custom House. After these preliminaries, they marched across the drawbridge, and occupied the remains of a citadel, built by Oliver Cromwell during the period of his usurpation. It was a square fort, with five demi-bastions and a ditch; the gates were indeed demolished, but the ramparts were tolerably entire, and the Brigadier lost no time in barricading all accessible places with beams, planks, carts, and barrels, filled with stones and other similar materials. The vessels in the harbour supplied them with cannon, which they planted on the ramparts, and prepared themselves as well as circumstances admitted for a desperate defence.

Early next morning, the Duke of Argyle presented himself before the fortified post of the Highlanders, with his three hundred dragoons, two hundred infantry, and about six hundred new-levied men, militia, and volunteers; among the latter class were seen several clergymen, who, in a war of this nature, did not consider their sacred character inconsistent with assuming arms. The Duke summoned the troops who occupied the citadel to surrender, under the penalty of high treason, and declared, that if they placed him under the necessity of bringing up cannon, or killed any of his men in attempting a defence, he would give them no quarter. A Highland gentleman, named Kinackin, answered resolutely from the ramparts, "That they laughed at his summons of surrender —that they were ready to abide his assault; as for quarter, they would neither give nor receive it—

and if he thought he could force their position, he was welcome to try the experiment."

The Duke having received this defiance, carefully reconnoitred the citadel, and found the most important difficulties in the way of the proposed assault. The troops must have advanced two hundred yards before arriving at the defences, and during all that time would have been exposed to a fire from an enemy under cover. Many of those who must have been assailants were unacquainted with discipline, and had never seen action; the Highlanders, though little accustomed to exchange the fire of musketry in the open field, were excellent marksmen from behind walls, and their swords and daggers were likely to be formidable in the defence of a breach or a barricade, where the attack must be in some degree tumultuary. To this was to be added the Duke's total want of cannon and mortars, or artillery-men by whom they could be managed. All these reasons induced Argyle to postpone an attack, of which the result was so uncertain, until he should be better provided. The volunteers were very anxious for an attack; but we are merely told, by the reverend historian of the Rebellion, that when they were given to understand that the post of honour, viz. the right of leading the attack, was their just right as volunteers, it made them heartily approve of the Duke's measure in deferring the enterprise. Argyle therefore retreated to Edinburgh, to make better preparations for an attack with artillery next day.

But as MacIntosh's intention of seizing on the

capital had failed, it did not suit his purpose to abide in the vicinity. He left the citadel of Leith at nine o'clock, and conducted his men in the most profound silence along the sands to Seaton house,[1] about ten miles from Edinburgh, a strong castle belonging to the Earl of Winton, surrounded by a high wall. Here they made a show of fortifying themselves, and collecting provisions, as if they intended to abide for some time. The Duke of Argyle, with his wonted celerity, made preparations to attack MacIntosh in his new quarters. He sent to the camp at Stirling for artillery-men, and

[1] ["They marched off by the head of the pier on the sands, crossing the mouth of the river no deeper than to the knees in water, and came safe to Seaton house, leaving about forty behind them that had made too free with the brandy which they found in the Custom-house, besides some stragglers, that lagged in their march. Several little odd accidents happened to them in that march, occasioned by the darkness of the night, and the mistakes natural to attempts of that nature. When they came near Musselburgh some people from the end of that town fired upon their front, but did no harm; yet occasioned great disorder among them. At first this made the Highlanders suspect all horsemen for enemies; the consequence of which was very unhappy to Mr Alexander Maloch of Mutreeshields, a gentleman of character and fortune who had just joined them. Being on horseback, he was challenged by a Highlander; and unable to answer in his language, the Highlander shot him dead on the spot. The Brigadier took what money he had upon him, which was about sixty guineas, and left him; for they could not stay to bury him. On the other side of the town, they were again alarmed with the noise of guns on the front, and here the like mistake occasioned further mischief; for taking a party of their own men for enemies, the foremost of the body fired upon them, and killed a sergeant and a private, belonging to the Earl of Mar's regiment. They arrived at Seaton house about two in the morning."—PATTEN, pp. 15, 16; RAE, p. 264.]

began to get ready some guns in Edinburgh castle, with which he proposed to advance to Seaton, and dislodge its new occupants. But his purpose was again interrupted by express upon express, despatched from Stirling by General Whetham, who commanded in the Duke's absence, acquainting his superior with the unpleasing information that Mar, with his whole army, was advancing towards Stirling, trusting to have an opportunity of destroying the few troops who were left there, and which did not exceed a thousand men.

Upon these tidings the Duke, leaving two hundred and fifty men of his small command under the order of General Wightman, to prosecute the plan of dislodging the Highlanders from their stronghold of Seaton, returned in all haste, with the small remainder of his forces, to Stirling, where his presence was much called for. But before adverting to events which took place in that quarter, we shall conduct MacIntosh and his detachment some days' journey farther on their progress.

On Saturday, the 15th of October, the environs of Seaton house were reconnoitred by a body of dragoons and volunteers. But as the Highlanders boldly marched out to skirmish, the party from Edinburgh thought themselves too weak to hazard an action, and retired towards the city, as did the rebels to their garrison. On Monday the 17th of October, the demonstration upon Seaton was renewed in a more serious manner, Lord Rothes, Lord Torphichen, and other officers, marching against the house with three hundred volunteers,

and the troops which had been left by the Duke of Argyle, to dislodge MacIntosh. But neither in this third attempt was it found prudent, without artillery, to attack the pertinacious mountaineers, as indeed a repulse, in the neighbourhood of the capital, must necessarily have been attended with consequences not to be rashly risked. The troops of the Government, therefore, returned a third time to Edinburgh, without having further engaged with the enemy than by a few exchanges of shot.

MacIntosh did not consider it prudent to give his opponent an opportunity of attacking him again in his present position. He had sent a letter to General Forster, which, reaching the gentlemen engaged in that unadvised expedition, while they were deliberating whether they should not abandon it, determined them to remain in arms, and unite themselves with those Highlanders, who had crossed the frith at such great risk, in order to join them. Forster and Kenmure, therefore, returned an answer to MacIntosh's communication, proposing to meet his forces at Kelso or Coldstream, as should be most convenient for him.—Such letters as the Brigadier had received from Mar, since passing the Forth, as well as the tenor of his former and original instructions, directed him to form a junction with the gentlemen engaged on the Borders;[1] and he accepted accordingly of their invita-

[1] [Before departing from the Citadel at Leith, "they sent off a boat with an express to the Earl of Mar, to acquaint him with their proceedings. As soon as the boat went off, they discharged

tion, and assigned Kelso as the place of meeting. His first march was to the village of Longformachus, which he reached on the evening of the 19th of October. It may be mentioned, that, in the course of their march, they passed Hermandston, the seat of Dr Sinclair, which MacIntosh, with some of the old vindictive Highland spirit, was extremely desirous to have burned, in revenge of the death of young Hepburn of Keith. He was dissuaded from this extreme course, but the house was plundered by Lord Nairne's Highlanders, who were active agents in this species of punishment. Sir William Bennet of Grubet, who had occupied Kelso for the Government, with some few militia and volunteers, learning that fifteen hundred Highlanders were advancing against him from the eastward, while five or six hundred horse, to which number the united forces of Kenmure and Forster might amount, were marching downwards from the Cheviot mountains, relinquished his purpose of defending Kelso; and, abandoning the barricades, which he had made for that purpose, retired to Edinburgh with his followers, carrying with him the greater part of the arms which he had provided.

The cavalry of Forster and Kenmure,[1] marching

one of their cannons after her, to make the men of war imagine her an enemy to the rebels. Nor did that stratagem fail, but fully answered the design; the boat escaped unpursued, and returned to them again with letters from the Earl, and new orders about three hours before they left Seaton-house."—PATTEN, p. 14.]

[1] [The Southerns halted on the moor before they entered Kelso, when they appointed their officers, and "to each troop

from Wooler, arrived at Kelso a few hours before the Highlanders, who set out on the same morning from Dunse. The Scottish part of the horse marched through Kelso without halting, to meet with MacIntosh at Ednam-bridge, a compliment which they conceived due to the gallantry with which, through many hazards, the Brigadier and his Highlanders had advanced to their succour. The united forces, when mustered at Kelso, were found to amount to about six hundred horse and fourteen hundred foot, for MacIntosh had lost some men by desertion. They then entered the town in triumph, and possessed themselves of such arms as Sir William Bennet had left behind him. They proclaimed James VIII. in the market-place of this beautiful town, and attended service[1] (the officers at least) in the Old Abbey Church, where a non-juring clergyman preached a sermon on hereditary right, the text being, Deut. xxi. 17, *The right of the first-born is his.*[2] The chiefs then held a gene-

they assigned two captains, being the only way they had to oblige so many gentlemen."—PATTEN, p. 39.]

[1] ["All the Lords that were Protestants," says the preacher himself, "with a vast multitude attended; it was very agreeable to see how decently and reverently the very common Highlanders behaved, and answered the responses according to the Rubric, to the shame of many that pretend to more polite breeding."—PATTEN, p. 40.]

[2] ["The preacher on this occasion was the Rev. Robert Patten, minister of Allandale, Northumberland, the historian of this Rebellion, and who some time afterwards found weighty reasons for adopting a different set of conduct and opinions. 'Whilst I continued, says he, 'amongst those unfortunate gentlemen, whose principles were once my own, I looked no further than esteeming what I had done the least part of my

ral council on the best mode of following out the purposes of their insurrection. There were two lines of conduct to choose betwixt, one of which was advocated by the Scottish gentlemen, the other by the insurgents from the north of England.

According to the first plan of operations, it was proposed that their united forces should move westward along the Border, occupying in their way the towns of Dumfries, Ayr, and Glasgow itself. They expected no resistance on either of these points, which their union with MacIntosh's troops might not enable them to overcome. Arrived in the west of Scotland, they proposed to open the passes, which were defended chiefly by militia and volunteers, to the very considerable force of the Argyleshire clans, which were already assembled under General Gordon. With the Earl of Mar's far superior army in front, and with the force of MacIntosh, Kenmure, and Forster upon his left flank and in his rear, it was conceived impossible that, with all his abilities, the Duke of Argyle could persevere in maintaining his important post at Stir-

guilt; but no sooner was I removed into the custody of a messenger, and there closely confined, where I had leisure to reflect upon my past life (and especially that of engaging in the Rebellion), than a great many scruples offered themselves to my consideration.' Having called in the aid of Dr Cannon, a clergyman, 'a man of singular good temper and literature,' to satisfy himself on the scruples of conscience, our historian adds, 'from thence I began to think it a duty incumbent on me to make all the reparation I could for the injury I had done the Government; and, as the first thing in that way, *I became an evidence for the King*; which I am far from being ashamed of, let what calumny will follow.'"—*Preface to his History, &c.*]

ling; there was every chance of his being driven entirely out of the "ancient kingdom," as Scotland was fondly called.

This plan of the campaign had two recommendations. In the first place, it tended to a concentration of the rebel forces, which, separated as they were, and divided through the kingdom, had hitherto been either checked and neutralized like that of Mar by the Duke of Argyle, or fairly obliged to retreat and shift for safety from the forces of the Government, as had been the fate of Forster and Kenmure. Secondly, the basis on which the scheme rested was fixed and steady. Mar's army, on the one hand, and Gordon with the clans, on the other, were bodies of troops existing and in arms, nor was there any party in the field for the Government, of strength adequate to prevent their forming the proposed junction.

Notwithstanding these advantages, the English insurgents expressed the strongest wish to follow an opposite course, and carry the war again into England, from which they had been so lately obliged to retreat. Their proposal had at first a bold and spirited appearance, and might, had it been acted upon with heart and unanimity, have had a considerable chance of success. The dragoons and horse which had assembled at Newcastle under General Carpenter, were only a thousand strong, and much fatigued with forced marches. Reinforced as the insurgents were with MacIntosh and his infantry, they might have succeeded by a sudden march in attacking Carpenter in his quar-

ters, or fighting him in the field; at all events, their great superiority of numbers would have compelled the English general either to hazard an action at very great disadvantage, or to retreat. In either case, the Northumbrian gentlemen would have remained masters of their native province, and might have made themselves masters of Newcastle, and interrupted the coal trade; and, finally, the great possessions and influence of Lord Derwentwater and others would have enabled them to add to their force as many infantry as they might find means of arming, without which, the gentry who were in arms could only be considered as a soul without a body, or a hilt without a blade. But Forster and his friends would not agree to a measure which had so much to recommend it, but lost time in empty debates, remaining at Kelso from the 22d to the 27th of October, until it became impossible to put the plan in execution. For they learned, that while they were deliberating, General Carpenter was acting; and his little army, being reinforced and refreshed, was now advanced to Wooler, to seek them out and give them battle.

Forster and the English officers then insisted on another scheme, which should still make England the scene of the campaign. They proposed that, eluding the battle which General Carpenter seemed willing to offer, they should march westward along the middle and west Borders of Scotland, till they could turn southward into Lancashire, where they assured their Scottish confederates that their friends were ready to rise in numbers, to the amount of

twenty thousand men at least, which would be sufficient to enable them to march to London in defiance of all opposition.

Upon this important occasion the insurgents gave a decided proof of that species of credulity which disposes men to receive, upon very slight evidence, such tidings as flatter their hopes and feelings, and which induced Addison to term the Jacobites of that period a race of men who live in a dream, daily nourished by fiction and delusion, and whom he compares to the obstinate old knight in Rabelais, who every morning swallowed a chimera for breakfast.

The Scottish gentlemen, and Lord Winton in particular, were not convinced by the reasoning of their Southern friends, nor do they appear to have been participant of their sanguine hopes of a general rising in Lancashire; accordingly, they strongly opposed the movement in that direction. All, therefore, which the rebels, in their divided counsels, were able to decide upon with certainty, was to move westward along the Border, a course which might advance them equally on their road, whether they should finally determine to take the route to the west of Scotland or to Lancashire. We must refer to a future part of this history for the progress and ultimate fate of this ill-starred expedition.

CHAPTER LXIX.

The Earl of Mar remains inactive at Perth—his Resolution to march upon Stirling—his Advance, Abandonment of the Plan, and Return to Perth—Surprisal of a Jacobite Detachment at Dunfermline—Argyle joined by Reinforcements—Mar also joined by Seaforth, General Gordon, with the Clans of the West, and Breadalbane — Both Armies, being now fully reinforced, have no further pretext for postponing Active Operations.

[1715.]

We must now return to the Earl of Mar's army, which must be considered as the centre and focus of the insurrection. Since his occupation of Perth, Lord Mar had undertaken little which had the appearance of military enterprise. His possession even of Fifeshire and Kinross had been in some degree contested by the supporters of Government. The Earl of Rothes, with a few dragoons and volunteers, had garrisoned his own house of Lesly, near Falkland, and was active in harassing those parties of horse which Mar sent into the country to proclaim James VIII., and levy the cess and public taxes. Upon one of these occasions, (28th September) he surprised Sir Thomas Bruce, while in the act of making the proclamation in the

town of Kinross, and carried him off a prisoner. The Earl of Rothes retained possession of his garrison till Mar's army became very strong, when he was obliged to withdraw it. But Mar continued to experience occasional checks, even in the military promenades in which he employed the gentlemen who composed his cavalry. It is true, these generally arose from nothing worse than the loose discipline observed by troops of this condition, their carelessness in mounting guards, or in other similar duties, to which their rank and habits of life had not accustomed them.

The only important manœuvre attempted by the Earl of Mar, was the expedition across the frith under Brigadier MacIntosh, of which the details are given in the last chapter. Its consequences were such as to force the General himself into measures of immediate activity, by which he had not hitherto seemed much disposed to distinguish himself, but which became now inevitable.

It happened that, on the second day after MacIntosh's departure from Fife, a general review of the troops in Perth was held in the vicinity of that town, and the Earl Marischal's brother, James (afterwards the celebrated Field-Marshal Keith), galloped along the line, disseminating some of those favourable reports which were the growth of the day, and, as one succeeded as fast as another dropped, might be termed the fuel which supplied the fire of the insurrection, or rather, perhaps, the bellows which kept it in excitation. The apocryphal tidings of this day were, that Sir William Wyndham had

surprised Bristol for King James III., and that Sir William Blacket had taken both Berwick and Newcastle—intelligence received by the hearers with acclamations, which, if it had been true, were no less than it deserved.

But from these visions the principal persons in the insurrection were soon recalled to sad realities. A meeting of the noblemen, chiefs of clans, and commanders of corps, was summoned, and particular care taken to exclude all intruders of inferior rank. To this species of council of war Mar announced, with a dejected countenance, that Brigadier MacIntosh, having, contrary to his orders, thrown himself into the citadel of Leith, was invested there by the Duke of Argyle. He laid before them the letter he had received from the Brigadier, which stated that a few hours would determine his fate, but that he was determined to do his duty to the last. The writer expressed his apprehension that cannons and mortars were about to be brought against him. The Earl of Mar said that he gave the detachment up for lost, but suggested it might be possible to operate a diversion in its favour, by making a feint towards Stirling. The proposal was seconded by General Hamilton, who said that such a movement might possibly do good, and could produce no harm.

The movement being determined upon, Mar marched with a large body of foot to Auchterarder, and pushed two squadrons of horse as far forward as Dunblane, which had the appearance of a meditated attack upon Stirling. It is said to have been

the opinion of General Hamilton, that the foot should have taken possession of a defile which continues the road from the northern end of Stirling bridge through some low and marshy ground, and is called the Long Causeway. The rebels being in possession of this long and narrow pass, it would have been as difficult for the Duke of Argyle to have got at them as it was for them to reach him. And the necessity of guarding the bridge itself with the small force he possessed, must have added to Argyle's difficulties, and afforded General Gordon, and the western clans who were by this time expected to be at Dunbarton, full opportunity to have advanced on Stirling by Drymen and the Loch of Monteith, keeping possession, during their whole march, of high and hilly grounds fit for the operations of Highlanders. In this manner the Duke of Argyle would have been placed between two fires, and must have run the greatest risk of being cut off from the reinforcements which he anxiously expected from Ireland, as well as from the west of Scotland.

Against this very simple and effective plan of the campaign, Mar had nothing to object but the want of provisions; in itself a disgrace to a general who had been quartered so long in the neighbourhood of the Carse of Gowrie, and at the end of autumn, when the farm-yards are full, without having secured a quantity of meal adequate to the maintenance of his army for a few days. General Hamilton combated this objection, and even demonstrated that provisions were to be had; and

Mar apparently acquiesced in his reasoning. But having come with the infantry of his army as far as Ardoch, the Earl stopped short, and refused to permit the movement on the Long Causeway to be made, alleging that Marischal and Linlithgow had decided against the design. It seems probable, that, as the affair drew to a crisis, Mar, the more that military science was wanted, felt his own ignorance the more deeply, and, afraid to attempt any course by which he might have controlled circumstances, adopted every mode of postponing a decision, in the hope they might, of themselves, become favourable in the long run.

In the mean time, the news of Mar's march to Auchterarder and Dunblane had, as we have elsewhere noticed, recalled the Duke of Argyle to his camp at Stirling, leaving a few of his cavalry, with the militia and volunteers, to deal with MacIntosh and his nimble Highlanders, who escaped out of their hands, first by their defence of Seaton, and then by their march to Kelso. Argyle instantly took additional defensive measures against Mar, by barricading the bridge of Stirling, and breaking down that which crosses the Teith at the village of Doune. But his presence so near his antagonist was sufficient to induce the Earl of Mar to retreat with his whole force to his former quarters at Perth, and wait the progress of events.

These were now approaching to a crisis. With MacIntosh's detachment Mar had now no concern; they were to pursue their good or evil destiny apart. The Earl of Mar had also received a

disagreeable hint, that the excursions by which he used to supply himself with funds, as well as to keep up the terror of his arms, were not without inconvenience. A detachment of about fourscore horse and three hundred Highland foot, chiefly followers of the Marquis of Huntly, was sent to Dunfermline to raise the cess. The direct road from Perth to Dunfermline is considerably shorter, but the troops had orders to take the route by Castle-Campbell, which prolonged the journey considerably, for no apparent purpose save to insult the Duke of Argyle's garrison there, by marching in their view. When the detachment arrived at Dunfermline, Gordon of Glenbucket, who commanded the Highlanders, conducted them into the old abbey, which is strongly situated and there placed a sentinel. He took up his own quarters in the town, and placed a sentinel there also. The commander of the horse, Major Graham, took the ineffectual precaution of doing the same at the bridge, but used no farther means to avoid surprise. The gentlemen of the squadron sought each his personal accommodation, with their usual neglect of discipline, neither knowing with accuracy where they were to find their horses, nor fixing on any alarm-post where they were to rendezvous. Their officers sat down to a bottle of wine. During all this scene of confusion, the Honourable Colonel (afterwards Lord) Cathcart, was lying without the town, with a strong party of cavalry, and obtaining regular information from his spies within it.

About five in the morning of the 24th of October, he entered the town with two parties of his dragoons, one mounted and the other on foot. The surprisal was complete, and the Jacobite cavaliers suffered in proportion; several were killed and wounded, and about twenty made prisoners, whose loss was the more felt, as they were all gentlemen, and some of them considerable proprietors. The assailants lost no time in their enterprise, and retreated as speedily as they entered. The neighbourhood of the Highland infantry in the Abbey was a strong reason for despatch. This slight affair seemed considerable in a war which had been as yet so little marked by military incident. The appearance of the prisoners at Stirling, and the list of their names, gave eclat to the Duke of Argyle's tactics, and threw disparagement on those of Mar. On the other side, stories were circulated at Perth of the loss which Cathcart had sustained in the action, with rumours of men buried in the night, and horses returned to Stirling without their riders. This account, however fabulous, was received with credit even by those who were engaged at Dunfermline; for the confusion having been general, no one knew what was the fate of his comrade. But in very deed, the whole return of casualties on Colonel Cathcart's side amounted to a dragoon hurt in the cheek, and a horse wounded. This little affair was made the subject of songs and pasquils in the army at Perth, which increased the Marquis of Huntly's disgust at the enterprise.

By this time three regiments of infantry, and

Evans's dragoons, had joined the Duke of Argyle, who now felt himself strong enough to make detachments, without the fear of weakening his own position. A battalion of foot was sent to Kilsythe, along with a detachment of dragoons, who were to watch the motions of the troops of Forster and Kenmure, in case the whole, or any part of them, should resolve to penetrate into the west of Scotland.

The Earl of Mar was also on the point of being joined by the last reinforcements which he could expect, the non-arrival of which had hitherto been the cause, or at least the apology, for his inactivity. The various causes of delay had been at length removed in the following manner. Seaforth, it must be remembered, was confronted by Lord Sutherland with his own following, and the Whig clans of Grant, Monro, Ross, and others. But about the same time the Earl of Seaforth was joined by Sir Donald MacDonald of Skye, with seven hundred of his own clan, and as many MacKinnons, Chisholms, and others, as raised the total number to about four thousand men. The Earl of Sutherland, finding this force so much stronger than what he was able to bring against it, retreated to the Bonar, a strait of the sea dividing Rossshire from Sutherland, and there passed to his own side of the ferry. Seaforth, now unopposed, advanced to Inverness, and after leaving a garrison there, marched to Perth to join the Earl of Mar, to whose insurrectionary army his troops made a formidable addition.

The clans of the West were the only reinforce-

ments which Mar had now to expect; but these were not only considerable from their numbers, but claimed a peculiar fame in arms even over the other Highlanders, both from their zeal for the Jacobite cause, and their distinguished bravery. But Mar had clogged General Gordon, who was to bring up this part of his forces, with a commission which would detain him some time in Argyleshire. His instructions directed him especially to take and garrison the castle of Inverary, the principal seat of the Duke of Argyle. The clans, particularly those of Stewart of Appin, and Cameron of Lochiel, though opposed to the Duke in political principles, respected his talents, and had a high regard for his person as an individual, and therefore felt reluctance at entering upon a personal quarrel with him by attacking his castle. These chiefs hung back accordingly, and delayed joining. When Glengarry and Clanronald had raised their clans, they had fewer scruples. During this time, Campbell of Finab was intrusted with the difficult task of keeping the assailants in play until the Duke of Argyle should receive his expected reinforcements from Ireland. He was soon joined by the Earl of Islay, the Duke's younger brother. By the assistance of Sir James Campbell of Auchinbreck, about a thousand men were assembled to defend Inverary, when four or five thousand appeared in arms before it. A sort of treaty was entered into, by which the insurgent clans agreed to withdraw from the country of Argyle; with which purpose, descending Strathfillan, they marched towards

Castle-Drummond, which is in the vicinity of Perth, and within an easy march of Mar's headquarters.[1]

One important member of the insurrection must also be mentioned. This was the Earl of Breadalbane, the same unrelenting statesman who was the author of the Massacre of Glencoe. He had been employed by King William in 1689 to achieve, by dint of money, the settlement and pacification of the Highlands; and now, in his old age, he imagined his interest lay in contributing to disturb them. When cited to appear at Edinburgh as a suspected person, he procured a pathetic attestation under the hand of a physician and clergyman, in which the Earl was described as an infirm man, overwhelmed with all the evils that wait on old age.[2] None of his infirmities, however, prevented

[1] ["The preserving the town of Inverary," says Patten, "was a considerable piece of service; for, had the rebels been master of that important pass, they might have poured in their men either towards Glasgow, or into the shire of Ayr, and must have been fought with perhaps to disadvantage, as things then stood, or they would have joined the rebels in the North of England, at their pleasure."—P. 180.]

[2] ["We, Mr John Murray, Doctor of Medicine at Perth, and Mr Alexander Comrie, Minister at Kenmore, do, upon soul and conscience, testify and declare, that John, Earl of Breadalbane, an old infirm man of four-score years of age, is much troubled with coughs, rheums, defluctions, and other maladies and infirmities which usually attend old age; that he is much subject to the gravel and stitches, and that at this present, and for some time by-gone, he complains of pains in his back, &c.; and the stitches in his sides have been so violent, that notwithstanding of his great age, there was a necessity for blooding him, which has not yet removed them, and he is so ill that he cannot travel from this to Edinburgh without apparent danger of his health and life." Signed as above, at Taymouth, 19th Sept., 1715.

him from attending the Earl of Mar's summons, on the very day after the certificate is dated. Breadalbane is supposed to have received considerable sums of money from the Earl of Mar, who knew the only terms on which he could hope for his favour. But for a long time the wily Earl did nothing decisive, and it was believed that he entertained a purpose of going to Stirling, and reconciling himself with the Duke of Argyle, the head of the elder branch of his house. This, however, Breadalbane did not do; but, on the contrary, appeared in the town of Perth, where the singular garb and peculiar manners of this extraordinary old chief attracted general attention. He possessed powers of satirical observation in no common degree; and seemed to laugh internally at whatever he saw which he considered as ridiculous, but without suffering his countenance to betray his sentiments, except to very close observers.[1] Amidst the various difficulties of the insurgents, his only advice to them was, to procure a printing press, and lose no time in issuing gazettes.

Mar took the hint, whether given in jest or earnest. He sent to Aberdeen for a printing press, in order to lose no time in diffusing intelligence more widely by that comprehensive organ of information. It was placed under the management

On the day following Breadalbane arrived at Logierait.— *Original Letters in the Appendix to the Second Edition of* RAE's *History*, 1746, p. 417.]

[1] ["He is of a fair complexion, and has the gravity of a Spaniard, is as cunning as a fox, wise as a serpent, and as slippery as an eel."—MACKAY's *Memoirs*.]

of Robert Freebairn, one of the printers for the late Queen Anne, whose principles had led him to join the insurgent army. He was chiefly employed in extending by his art the delusions through means of which the insurrection had been originally excited, and was in a great measure kept afloat. It is a strong example of this, that while Mar actually knew nothing of the fate of Forster and Kenmure, with the auxiliary party of Highlanders under MacIntosh; yet it was boldly published that they were masters of Newcastle, and carried all before them, and that the Jacobites around London had taken arms in such numbers, that King George had found it necessary to retire from the metropolis.

It does not appear that the Earl of Breadalbane was so frank in affording the rebels his military support, which was very extensive and powerful, as in imparting his advice how to make an impression on the public mind by means of the press. His own age excused him from taking the field; and it is probable, his experience and sagacious observation discovered little in their counsels which promised a favourable result to their enterprise, though supported certainly by a very considerable force in arms. A body of his clan, about four or five hundred strong, commanded by the Earl's kinsman, Campbell of Glendarule, joined the force under General Gordon; but about four hundred, who had apparently engaged in the enterprise against Inverary, and were embodied for that purpose, dispersed, and returned to their own homes afterwards without joining Mar.

The whole force being now collected on both sides, it seemed inevitable, that the clouds of civil war which had been so long lowering on the horizon, should now burst in storm and tempest on the devoted realm of Scotland.

CHAPTER LXX.

Motives of the Earl of Mar for Undertaking the Insurrection—Causes which devolved the Command of the Army upon him—Interception of Supplies of Arms and Ammunition destined for the Jacobite Army—Addresses to the Chevalier de St George and the Duke of Orleans sent from the Army at Perth—Dissatisfaction among some of the Principal Men in Mar's Army—Plans of Mar—March of Mar from Perth and of Argyle from Stirling—the Armies come in sight of each other near Dunblane—Mar's Council of War—Battle of Sheriffmuir.

[1715.]

I HAVE delayed till this point in the Scottish history some attempt to investigate the causes and conduct of the Rebellion, and to explain, if possible, the supineness of the insurgent general and chiefs, who, having engaged in an attempt so desperate, and raised forces so considerable, should yet, after the lapse of two months, have advanced little farther in their enterprise than they had done in the first week after its commencement.

If we review the Earl of Mar's conduct from beginning to end, we are led to the conclusion, that the insurrection of 1715 was as hastily as rashly undertaken. It does not appear that Mar was in

communication on the subject with the court of the Chevalier de St George previous to Queen Anne's death. That event found him at liberty to recommend himself to the favour of King George, and show his influence with the Highland chiefs, by procuring an address of adhesion from them, of a tenor as loyal as his own. These offers of service being rejected, as we have already said, in a harsh and an affronting manner, made the fallen Minister conclude that his ruin was determined on; and his private resentment, which, in other circumstances, would have fallen to the ground ineffectual and harmless, lighted unhappily amongst those combustibles, which the general adherence to the exiled family had prepared in Scotland.

When Mar arrived in Fifeshire from London, it was reported that he was possessed of L.100,000 in money,—instructions from the Pretender, under his own hand, and a commission appointing him lieutenant-general, and commander-in-chief of his forces in Scotland. But though these rumours were scattered in the public ear, better accounts allege, that in the commencement of the undertaking, Mar did not pretend to assume any authority over the other noblemen of his own rank, or produce any other token from the Chevalier de St George, than his portrait. A good deal of pains were taken to parade a strong-box, said to enclose a considerable sum of money, belonging to the Earl of Mar; but it was not believed to contain treasure to the amount of more than L.3000, if, indeed, it held so much. As to the important point of a

general to command in chief, the scheme, when originally contemplated at the Court of St Germains, turned upon the Duke of Ormond's landing in England, and the Duke of Berwick in Scotland, whose well-known talents were to direct the whole affair. After commencing his insurrection, there can be little doubt that Mar did the utmost, by his agents in Lorraine, to engage the favourable opinion of the Chevalier; and the unexpected success of his enterprise, so far as it had gone, and the great power he had been able to assemble, were well calculated to recommend him to confidence. In the mean time, it was necessary there should be a general to execute the duties of the office *ad interim*. Mar offered, as I have told you, the command to the Duke of Athole, who refused to be connected with the affair. Huntly, from his power and rank in possession and expectation, might have claimed the supreme authority, but his religion was an obstacle. Seaforth lay distant, and was late in coming up. The claims of these great nobles being set aside, there was nothing so natural as that Mar himself should assume the command of an insurrection, which would never have existed without his instigation. He was acceptable to the Highlanders, as having been the channel through which the bounty of the late Queen Anne had been transmitted to them; and had also partisans, from his liberality to certain of the Lowland nobles who had joined him, whose estates and revenues were not adequate to their rank, a circumstance which might be no small cause for their rushing into so ruinous

an undertaking. Thus Mar assumed the general's truncheon which chance offered to his hand, because there was no other who could pretend to it.

Like most persons in his situation, he was not inclined to distrust his own capacity for using to advantage the power which he had almost fortuitously become possessed of; or, if he nourished any doubt upon this subject, he might consider his military charge to be but temporary, since, from the whole tenor of his conduct, it appears he expected from France some person whose trade had been war, and to whom he might with honour resign his office. Such an expectation may account for the care with which the Jacobite commander abstained from offensive operations, and for his anxious desire to augment his army to the highest point, rather than to adventure it upon the most promising enterprise.

It is probable Mar was encouraged to persevere in his military authority, in which he must have met with some embarrassment, when he found himself confirmed in it by Ogilvie of Boyne, an especial messenger from the Chevalier de St George, who, greatly flattered by the favourable state of affairs in Scotland, conferred upon the Earl of Mar in form, that command, which he had so long exercised in point of fact, and it was said, brought a patent, raising him to the dignity of Duke of Mar. Of the last honour, little was known, but the commission of Mar as general was read at the head of every corps engaged in the insurrection.

It might be matter of wonder that the vessel

which brought over Mr Ogilvie, the bearer of this commission, had not been freighted with men, money, or provisions. The reason appears to have been, that the Chevalier de St George had previously expended all the funds he could himself command, or which he could borrow from foreign courts favourable to his title, in equipping a considerable number of vessels designed to sail from Havre-de-Grace and Dieppe, with large quantities of arms and ammunition. But the Earl of Stair, having speedily discovered the destination of these supplies, remonstrated with the Court of France upon proceedings so inconsistent with the treaty of Utrecht; and Sir George Byng, with a squadron of men-of-war, blockaded the ports of France, with the purpose of attacking the vessels if they should put to sea. The Regent Duke of Orleans immediately gave orders to the inspectors of naval affairs to prevent the arming and sailing of the vessels intended for the service of the Chevalier de St George. Thus the supplies designed for the insurgents were intercepted, and the whole expense which had been laid out upon the projected expedition was entirely lost. This affords a satisfactory reason why the exiled Prince could send little to his partisans in Scotland, unless in the shape of fair words and commissions.

In the mean time, the Earl of Mar, and the nobles and gentlemen embarked in his enterprise, although disappointed in these sanguine expectations under which it had been undertaken, and in finding that the death of Louis XIV., and the

prudence of his successor in power, would deprive them of all hopes of foreign assistance, were yet desirous to receive that species of encouragement which might be derived from seeing the Chevalier de St George himself at the head of the army, which they had drawn together in his name and quarrel. An address, therefore, was made to King James VIII., as he was termed, praying him to repair to Scotland, and to encourage, by his personal presence, the flame of loyalty, which was represented as breaking out in every part of that kingdom, pledging the lives and honour of the subscribers for his personal security, and insisting on the favourable effect likely to be produced upon their undertaking, by his placing himself at its head. Another address was drawn up to the Regent Duke of Orleans, praying him, if he was not pleased to aid the heir of the House of Stewart at this crisis of his fate, that he would at least permit him to return to his own country, to share the fate of his trusty adherents, who were in arms in his behalf. This paper had rather an extraordinary turn, sounding as if the Chevalier de St George had been in prison, and the Regent of France the keeper of the key. The addresses, however, were subscribed by all the men of quality at Perth, though great was the resentment of these proud hidalgos, to find that the king's printer, Mr Robert Freebairn, was permitted to sign along with them. The papers were, after having been signed, intrusted to the care of the Honourable Major Hay, having as his secre-

tary the historian Dr Abercromby,[1] with charge to wait upon the Chevalier at the Court of Lorraine, or where he might happen to be, and urge the desire of the subscribers. The choice of the ambassador, and the secrecy which was observed on the subject of his commission, were regarded as deserving censure by those in the army who conceived that, the general welfare being concerned in the measures to be adopted, they had some right to be acquainted with the mode in which the negotiation was to proceed. Mar afterwards despatched two additional envoys on the same errand; the first was Sir Alexander Erskine of Alva, who was wrecked on his return; the second, an agent of considerable acuteness, named Charles Forbes.

The Earl of Mar had not ascended to the pitch of power which he now enjoyed, without experiencing the usual share of ill-will and unfavourable construction. The Master of Sinclair, a man of a temper equally shrewd and severe, had from the beginning shown himself dissatisfied with the management of the insurrection, and appears, like many men of the same disposition, to have been much more ready to remark and censure errors than to assist in retrieving them. The Earl of Huntly seems also to have been disobliged by Mar, and to have looked on him with dislike or suspicion; nor were the Highlanders entirely disposed to trust him as their general. When Glengarry,

[1] [Author of "The Martial Achievements of the Scots Nation." 2 vols. folio. Edin. 1711–15.]

one of their ablest chiefs, joined the army at Perth, he was anxious that the western clans should keep separate from those first assembled at Perth, and act in conjunction with the forces of the Earl of Huntly; and it was proposed to Sinclair to join in this sort of association, by which the army would in fact have been effectually separated into two parts. Glengarry, however, was dissuaded from this secession; and although it is intimated, that in order to induce him to abandon his design, the arguments arising from good cheer and good fellowship were freely resorted to, it is not the less true, that his returning to the duty of a soldier was an act of sober reason.

The Earl of Mar, amidst his other duties, having a wish to prepare a place of arms for the residence of the Chevalier de St George on his expected arrival, made an attempt to cover Perth by fortifications, so as to place it out of danger from a *coup-de-main*. General Hamilton attended to this duty for a short time; but afterwards it was almost entirely given up to the direction of a Frenchman, who had been a dancing and fencing-master, and whose lines of defence furnished much amusement to the English engineers, who afterwards became possessed of them.

Before resuming the narrative, I may tell you, that in this same eventful month of October, when there were so many military movements in Scotland, the Duke of Ormond was despatched by the Chevalier de St George, with arms and ammunition, and directions to land on the coast of Eng-

land. Three cannon were fired as a signal to the Jacobites, who were expected to flock in numbers to the shore, the name of Ormond being then most popular among them. But the signals not being answered, the vessel bore off, and returned to France. Had the Duke landed, the Jacobite party would have been in the singular predicament of having a general in England, without an army, and an army in Scotland without an effective general.

We now approach the catastrophe of these intestine commotions; for the Earl of Mar had by the beginning of November received all the reinforcements which he had to expect, though it may be doubted whether he had rendered his task of forcing or turning the Duke of Argyle's position more easy, or his own army much stronger, by the time he had spent in inactivity. His numbers were indeed augmented, but so were those of the Duke so that the armies bore the same proportion to each other as before. This was a disadvantage to the Highlanders; for where a contest is to take place betwixt undisciplined energy and the steadiness of regular troops, the latter must always attain superiority in proportion as their numbers in the field increase, and render the day likely to be decided by manœuvres. Besides this, the army of Mar sustained a very great loss by desertion during the time he lay at Perth. The Highlanders, with the impatience and indolence of a half-civilized people, grew weary alike of remaining idle, and of being employed in the labour of fortification, or the dull details of ordinary parade exercise. Many also

went home for the purpose of placing in safety their accumulation of pay, and what booty they had been able to find in the Lowlands. Such desertions were deemed by the clans to be perfectly in rule, and even the authority of the chiefs was inadequate to prevent them.

Neither do the plans of the Earl of Mar seem to have been more distinctly settled, when he finally determined on the important step of making a movement in advance. It seems to have been given out, that he was to make three feigned attacks upon the Duke's army at one and the same time—namely, one upon the Long Causeway and Stirling bridge; another at the Abbey ford, a mile below Stirling; and a third at the Drip-coble, a ford a mile and a half above that town. By appearing on so many points at once, Mar might hope to occupy the Duke's attention so effectually, as to cross the river with his main body at the fords of Forth. But, as the Duke of Argyle did not give his opponent time to make these movements, it cannot be known whether Mar actually contemplated them.

It is, however, certain that the Earl of Mar entertained the general purpose of reaching, if possible, the fords of Forth, where that river issues out of Lochard, and thus passing over to the southern side. To reach this part of the river, required a march of two days through a hilly and barren country. Nor were Mar and his advisers well acquainted with the road, and they had no other guide but the celebrated freebooter, Rob Roy MacGregor, who they themselves said was not to

be trusted, and who, in point of fact, was in constant communication with his patron, the Duke of Argyle, to whom he sent intelligence of Mar's motions.[1] It was said, too, that this outlaw only knew the fords from having passed them with Highland cattle—a different thing, certainly, from being acquainted with them in a military point of view. It was probably, however, with a view to the information which Rob Roy could give on this point, that Mar, in a letter of the 4th of November, complains of that celebrated outlaw for not having come to Perth, where he wished much to have a meeting with him.

But if Mar and his military council had known the fords of Forth accurately, still it was doubtful in what situation they might find the passes when they arrived there. They might have been fortified and defended by the Duke of Argyle, or a detachment of his army; or they might be impassable at this advanced season of the year, for they are at all times of a deep and impracticable character. Last of all, before they could reach the heads of the Forth, Mar and his army must have found the means of crossing the Teith, a river almost as large and deep as the Forth itself, on

[1] ["The period of the Rebellion approached soon after Rob Roy had attained celebrity. His Jacobite partialities were now placed in opposition to his sense of the obligations which he owed to the indirect protection of the Duke of Argyle. But the desire of 'drowning his sounding steps amid the din of general war' induced him to join the forces of the Earl of Mar, although his patron, the Duke of Argyle, was at the head of the army opposed to the Highland insurgents."—*Introduction to Rob Roy*, p. 51.]

which Argyle had destroyed the bridge of Doune, which afforded the usual means of passage.

Such were the difficulties in the way of the insurgents; and they are of a kind which argues a great want of intelligence in a camp which must have contained many persons from Menteith and Lennox, well acquainted with the country through which the Highland army were to pass, and who might have reconnoitred it effectually, notwithstanding the small garrisons of west-country militia and volunteers, which the Duke had placed in Gartartan, and other houses of strength in the neighbourhood of Aberfoil. But it was not the will of Heaven that the insurgents should ever march far enough on their expedition to experience inconveniences from the difficulties we have pointed out; for the Duke of Argyle, though far inferior in force, adopted the soldier-like resolution of drawing out such strength as he had, and enterrupting the march of the insurgents by fighting them, before they should have an opportunity of descending upon the Forth. For this purpose, he called in all his garrisons and outposts, and having mustered a main body of not quite four thousand men, he marched from Stirling towards Dunblane, on the morning of Saturday, the 12th of November.

On the 10th of November, the Earl of Mar had broken up from his quarters at Perth, and advanced to Auchterarder, where the infantry were quartered, while the cavalry found accommodation in the vicinity.

But, during that night, the Highland army suffered in its nominal strength by two considerable desertions. The one was that of the whole clan of Fraser, amounting to four hundred men. They had joined Mar's army very recently, under Fraser of Fraserdale, who had married the heiress of their late chieftain. Just at this crisis, however, the heir-male of the family, the celebrated Fraser of Lovat, arrived in the north, and recalled by his mandate the clan of Fraser from the standards of King James VIII. to transfer them to those of George I. The Frasers, deeming their duty to their chief paramount to that which they owed to either monarch, and recognising the right of the male-heir to command them in preference to that of the husband of the heir-female, unanimously obeyed the summons of the former, and left the camp, army, and cause in which they were engaged. There will be occasion to mention more of the Frasers hereafter.

The other desertion was that of two hundred of the Earl of Huntly's Highland followers, who complained of having been unjustly overburdened with what is called fatigue-duty. Thus diminished, the army, after having been reviewed by their general, marched off their ground in the following order. The Master of Sinclair with the Fifeshire squadron, and two squadrons of Huntly's cavalry, formed the advance of the whole. The western clans followed, being, first, the MacDonalds, under their different chiefs of Clan Ranald, Glengarry, Sir Donald MacDonald, Keppoch, and Glencoe. The

next were Breadalbane's men, with five regiments, consisting of the following clans: the MacLeans, under Sir John MacLean, their chief; the Camerons, under Lochiel; the Stewarts, commanded by Appin; and those who remained of Huntly's followers from Strathdon and Glenlivet, under Gordon of Glenbucket. This chosen body of Highlanders were in high spirits, and so confident of success, that they boasted that their division of Mar's army only would be more than enough to deal with the Duke of Argyle and all the force he commanded. General Gordon was commander of the whole Highland vanguard.

The rest of the army, commanded by Mar in person, with the assistance of General Hamilton, followed the advanced division; and it was settled that the rearguard should march only as far as Ardoch, while the vanguard should push forward as far as the town of Dunblane, where they had quartered on their former march from Perth, eight miles to the west of Ardoch, where the rear was to halt.

The horse, at the head of the first column, were advancing according to their orders, when a lame boy, running as fast as his infirmity would permit him, stated to the Master of Sinclair, who commanded the advance, that he was sent by the wife of the Laird of Kippendavie, whose husband was in the Jacobite army, to tell the Earl of Mar that the Duke of Argyle was in the act of marching through Dunblane. The news, though the appearance of the messenger excited some doubt, was

entitled to be treated with respect. A reconnoitring party was sent forward, an express was despatched to Mar, who was six or seven miles in the rear, and General Gordon anxiously looked around him to find some strong ground on which to post the men. The river Allan lay in their front, and the Master of Sinclair proposed pushing across, and taking possession of some farm-houses, visible on the opposite side, where the gentlemen might find refreshment, and the horses forage. But General Gordon justly thought that the passing a river at nightfall was a bad preparation for a body of infantry, who were to lie out till morning in the open air, in a hard frost, in the middle of November. At length the dispute was terminated, on two farm-houses being discovered on the left side of the river, where the horse obtained some accommodation, though in a situation in which they might have been destroyed by a sudden attack, before they could have got out of the enclosures, among which they were penned up like cattle, rather than quartered like soldiers. To guard against such a catastrophe, General Gordon posted advanced guards and videttes, and sent out patrols with the usual military precautions. Soon after they had taken their quarters for the night, Lord Southesk and the Angus-shire cavalry came up, with the intelligence that Mar and the whole main body were following, and the Earl accordingly appeared at the bivouac of the vanguard about nine o'clock at night.

Fresh intelligence came to them from Lady Kip-

pendavie, who seems to have been as correct in her intelligence, and accurate in communicating with the insurgent army, as she was singular in her choice of messengers, this last being an old woman, who confirmed the tidings of the enemy's approach. The reconnoitring parties, sent forward by Sinclair, came in with news to the same purpose.

The whole of Mar's army being now collected together within a very narrow circumference, slept on their arms, and wrapped in their plaids, feeling less inconvenience from the weather, which was a severe frost, than would probably have been experienced by any other forces in Europe.[1]

By daybreak, on Sunday, 13th November, the insurgent army drew up in two lines of battle, on the plain above the place where they had spent the night. They had not long assumed this posture, when they perceived a strong squadron of horse upon an eminence to the south of their lines. This was the Duke of Argyle, who, with some general

[1] ["The Duke of Argyle gave orders that no tent should be pitched that night, either by officers or soldiers; but the officers, without distinction, were ordered to their several posts, and the soldiers to lay close on their arms all night, under certification of the severest paine, in case they did otherwise. And thus they lay in an extreme cold night, without either tent or cover; nor could they much complain, while their general sat in a sheep-cot, upon straw, at the foot of the hill, on the right of the army. About twelve at night, his Grace being informed by his spies where the enemy lay, and what was their posture, sent orders to the commanding officer of the artillery, to distribute as much ammunition to the forces, as, with the twenty-four they had before, would make up thirty rounds to each man; which was done accordingly before two in the morning."—RAE, p. 302.]

officers, had taken this post in advance, for the purpose of reconnoitring the enemy's position and proceedings. In this he succeeded but imperfectly, on account of the swells and hollows which lay between him and Mar's army.

In the mean time, Mar, after satisfying himself that he was in presence of the enemy, called a council of his nobles, general officers, chiefs of clans, and commanders of corps. He is allowed on this occasion to have made them a most animating speech. It sunk, in part, upon unwilling ears, for there were already several persons of consequence, among whom Huntly and Sinclair seem to have been the leaders, who, despairing of the cause in which they were engaged, were desirous to open a communication with the Duke of Argyle, in order to learn whether he had power to receive their submission, and admit them to pardon on their former footing of living quietly under Government. This, however, was only whispered among themselves; for even those who entertained such opinions, were at the same time conscious that the crisis was come, in which they must fight for peace sword-in-hand, and that, by gaining a victory, they might dictate honourable terms; while, if they attempted a retreat, they would be no longer able to keep their Highland levies together, or to open a negotiation with the air of strength absolutely necessary to command a tolerable capitulation.

When, therefore, the Earl of Mar reminded his military auditors of the injustice done to the royal

English yoke, and conjured them not to let slip the opportunity which they had so long languished for, but instantly attack the enemy, with that spirit which their cause and their wrongs were calculated to inspire, his words awakened a corresponding energy in the hearers. The Earl of Huntly only asked, whether a battle won would, in their present circumstances, place their rights, and those of their country, within their reach? or, whether there was any hope of foreign aid, to enable them to withstand the arms of England and her allies? "All this," he said, "my Lord of Mar could doubtless inform them of, since he had lately received a letter from Lord Bolingbroke, which he desired might be laid before the council."

The critical circumstances of the moment, and the enthusiasm which had been excited in the assembly, enabled Mar to dispense with attending to questions which he might have found it difficult to answer. Gliding over the interruption given by Huntly, he stated to the council the question, in the words, "Fight or not?" The chiefs, nobles, and officers, answered, with an universal shout of "Fight;" and their resolution reaching the two lines, as they stood drawn up in order of battle, was welcomed with loud huzzas, tossing up of hats and bonnets, and a cheerfulness, which seemed, even to those who had been before uncertain and doubtful of the issue, a sure presage of speedy victory.

In this state of excited feeling, the army of Mar

advanced towards the enemy. The two lines in which they stood upon the moor were broken up each into two columns, so that it was in four columns that they pursued the order of their march, descending the hill which they had first occupied, crossing a morass, which the hard frost of the night before had rendered passable for cavalry as well as infantry, and ascending the opposite height, from which the Duke of Argyle was observing their movements. The Duke, on his part, as soon as he saw the extremity of Mar's wing wheel to the right, in order to make the movement we have described, immediately comprehended that their purpose was to avail themselves of their superiority of numbers, and attack his small force at once on the left flank, and in front. He rode hastily down the eminence, at the foot of which his force was drawn up, in order at once to get them into such a disposition as might disappoint the object of the enemy, and to lead his troops up the hill. He drew up his little army of about four thousand men, extending his disposition considerably to the right, placing three squadrons of horse on that wing, and as many on the left of his front line; the centre being composed of six battalions of foot. Each wing of horse was supported by a squadron of dragoons. The second line was composed of two battalions in the centre, with a squadron of dragoons on either wing. In this order, and having his right considerably advanced against the enemy's left, so as to admit of his withdrawing his own left

wing from a flank attack, the Duke ascended the hill, seeing nothing of the enemy, who had left the high grounds, and were advancing to meet him on the other side of the same height, which he was in the act of mounting. The Highlanders, as has been already stated, advanced in four columns, marching by their right.

Each column of infantry, four in number, was closed by a body of cavalry, which, when the column should deploy into line, were to take up their ground on the flank. The Highlanders marched, or rather ran, with such eagerness towards the enemy, that the horse were kept at the gallop in the rear. Both armies were thus ascending the hill in column, and met, as it were unexpectedly, upon the top, being in some points within pistol-shot before they were aware of each other's presence. Both, therefore, endeavoured at the same time to form line-of-battle, and some confusion occurred on either side. In particular, two squadrons of the insurgent cavalry were placed in the centre of the right wing, instead of being stationed on the flank, as had been intended, and as the rules of war required. This discovery, however, was of much less consequence to the Highlanders, whose terrors consisted in the headlong fury of the onset, whilst the strength of the regulars depended on the steadiness of their discipline.

It was at this moment that an old chief, impatient for the command to charge, and seeing the English soldiers getting into order, became enraged at see-

ing the favourable minute pass away, and made the memorable exclamation, "Oh, for one hour of Dundee!"

The Duke's left wing was commanded by General Whitham, who does not appear to have been distinguished either for courage or conduct. The right of Mar's line was hastily formed, consisting of the western clans, MacDonalds, MacLeans, and the followers of Breadalbane, when old Captain Livingstone rode up, a veteran soldier, who had served in King James's army before the Revolution, and with several oaths called to General Gordon, who commanded the right wing, instantly to attack. The General hesitated, but the chiefs and clans caught the enthusiasm of the moment. A gentleman, named MacLean, who lived to a great age, thus described the attack of his own tribe; and there can be no doubt that the general onset was made under similar circumstances. When his clan was drawn up in deep order, the best born, bravest, and best armed of the warriors in front,[1] Sir John MacLean placed himself at their head, and said, with a loud voice, "Gentlemen, this is a day we have long wished to see. Yonder stands MacCallanmore for King George—Here stands Mac-

[1] The very existence of this regiment was an instance of the tenacity of clan attachment. The lands on which they lived in the isle of Mull were become the property of the Duke of Argyle, and their chief resided for the most part in France, on an allowance which Queen Anne had assigned him; yet he found no difficulty in raising seven or eight hundred men in opposition to their actual landlord; so inferior was the feudal claim to the patriarchal.

Lean for King James.—God bless MacLean and King James!—Charge, gentlemen!"

The clan then muttered a very brief prayer, fixed the bonnet firm on the head, stripped off their plaids, which then comprehended the philabeg also,[1] and rushed on the enemy, firing their fusees irregularly, then dropping them, and drawing their swords, and uniting in one wild yell, when they mingled among the bayonets. The regular troops on the left received this fierce onset of the mountaineers with a heavy fire, which did considerable execution. Among others who dropped was the gallant young chief of Clan Ranald, mortally wounded. His fall checked for an instant the impetuosity of his followers, when Glengarry, so often mentioned, started from the ranks, waved his bonnet around his head, exclaiming, "Revenge, revenge! to-day for revenge, and to-morrow for mourning!" The Highlanders, resuming the fury of their attack, mingled with the regulars, forced their line in every direction, broke through them and dispersed them, making great slaughter among men less active than themselves, and loaded with an unweildy musket, which in individual or irregular strife, has scarce ever been found a match for the broadsword. The extreme left of Argyle's army was thus routed with considerable slaughter, for the Highlanders gave no quarter; but the troops of the centre, under General Wightman, remained

[1] The Highlanders wore long shirts, which were disposed in a particular manner on such occasions.

unbroken; and it would seem to have been the business of the rebel cavalry to have charged them in the flank or rear, exposed as they must have been by the flight of Whitham and the left wing. Of their cavalry, however, two squadrons, commanded by Drummond and Marischal, went off in pursuit of those whom the Highlanders had scattered; while Lord Huntly's, and that of Fife, under the Master of Sinclair, remained inactive on the field of battle, without engaging at all. It would seem that they were kept in check by the dragoons of Argyle's second line, who did not fly like the first, but made an orderly retreat in the face of the enemy.

On the right wing and centre, the event of the battle was very different. The attack of the Highlanders was as furious as on their right. But their opponents, though a little staggered, stood their ground with admirable resolution, and the Duke of Argyle detached Colonel Cathcart, with a body of horse, to cross a morass, which the frost had rendered passable, and attack the Highlanders on the flank as they advanced to the charge. In this manner their rapid assault was checked and baffled; and although the Camerons, Stewarts, and other clans of high reputation, formed the left wing of Mar's army, yet that, and his whole second line, were put to flight by the masterly movement of the Duke of Argyle, and the steadiness of the troops he commanded. But his situation was very perilous; for as the fugi-

tives consisted of five thousand men, there was every prospect of their rallying and destroying the Duke's small body, consisting only of five squadrons of horse, supported by Wightman, with three battalions of infantry, who had lately composed the centre of the army. Argyle took the bold determination to press on the fugitives with his utmost vigour, and succeeded in driving them back to the river Allan, where they had quartered the night before. The fugitives made frequent halts, and were as often again attacked and broken. This was particularly remarked of the body of horse who carried James's standard, and was called the Restoration Squadron. The gentlemen composing it made repeated and vigorous attacks, in which they were only broken and borne down by the superior weight of the English cavalry. It was in one of these reiterated charges that the gallant young Earl of Strathmore lost his life, while in vain attempting to rally his Angus-shire regiment. He was slain by a private dragoon, after having had quarter given to him. The Earl of Panmure was also wounded and made prisoner by the royalists, but was rescued by his brother, Mr Henry Maule.

The field of battle now presented a singular appearance, for the left of both armies were broken and flying, the right of both victorious and in pursuit. But the events of war are of less consequence than the use which is made of them. It does not appear than any attempt was made on the part of Mar to avail himself of his success on the right.

General Whitham had indeed resigned the field of battle to his opponents, and from thence fled almost to Stirling bridge. The victorious Highlanders did not take the trouble to pursue them, but having marched across the scene of action, drew up on an eminence, called the Stony Hill of Kippendavie, where they stood in groups with their drawn swords in their hands. One cause of their inactivity at this critical moment may be attributed to having dropped their fire-arms, according to their fashion when about to charge; another, certainly, was the want of active aides-de-camp to transmit orders; and a third, the character of the Highlanders, who are not always disposed to obedience. This much is certain, that had their victorious right wing pursued in the Duke of Argyle's rear when he advanced towards the river Allan, they must have placed him in the greatest danger, since his utmost exertion was scarce equal to keep the multitude before him in full retreat. It is also stated, that some of the Highlanders showed an unwillingness to fight. This is alleged to have been particularly the case with the celebrated Rob Roy, a dependent, it will be observed, of the Duke of Argyle's, and in the habit, during the whole insurrection, of furnishing him with intelligence from the enemy's camp. A strong party of MacGregors and MacPhersons were under the command of this outlaw, who, when ordered to charge, answered coolly, "If they cannot do it without me, they cannot do it with me." It is said, that a bold man of the Clan Vourigh, called Alister Mac-

Pherson, who followed Rob Roy's original profession of a drover, impatient at the inactivity in which they were detained, threw off his plaid, drew his sword, and called on the MacPhersons to follow. "Hold, Sandie," said Rob Roy; "were the question about a drove of sheep, you might know something; but as it concerns the leading of men, it is for me to decide."—"Were the question about a drove of Glen-Angus wethers," retorted the MacPherson, "the question with you, Rob, would not be who should be last, but who should be first." This had almost produced a battle betwixt the two champions; but in the mean time, the opportunity of advancing was lost.[1]

The Duke of Argyle having returned back from his pursuit of the enemy's left wing, came in contact with their right, which, victorious as we have intimated, was drawn up on the hill of Kippendavie. Mutual menaces of attack took place, but the combat was renewed on neither side. Both armies showed a disposition to retreat, and Mar, abandoning a part of his artillery, drew back to Auchter-

[1] ["Rob did not, however, neglect his own private interest on the occasion. In the confusion of an undecided field of battle he enriched his followers by plundering the baggage and the dead on both sides. The fine old satirical ballad on the battle of Sheriffmuir, does not forget to stigmatize our hero's conduct on this memorable occasion.

'Rob Roy he stood watch
On a hill for to catch
The booty, for aught that I saw, man;
For he ne'er advanc'd
From the place he was stanc'd
Till nae mair was to do there at a', man.'"

Introduction to Rob Roy, p. 62."]

arder, and from thence retired to Perth. Both generals claimed the victory, but as Mar abandoned from that day all thoughts of a movement to the westward, his object must be considered as having been completely defeated; while Argyle attained the fruits of victory in retaining the position by which he defended the Lowlands, and barred against the insurgents every avenue by which they could enter them.

The numbers slain in the battle of Sheriffmuir were considerable. Seven or eight hundred were killed on the side of the rebels, and the royalists must have lost five or six hundred. Much noble and gentle blood was mixed with that of the vulgar. A troop of volunteers, about sixty in number, comprehending the Dukes of Douglas and Roxburghe, the Earls of Haddington, Lauderdale, Loudon, Belhaven, and Rothes, fought bravely, though the policy of risking such a *troupe dorée* might be questionable. At all events, it marked a great change of times, when the Duke of Douglas, whose ancestors could have raised an army as numerous as those of both sides in the field of Sheriffmuir, fought as a private trooper, assisted only by two or three servants. This body of volunteers behaved in a manner becoming their rank. Many of them were wounded, and the Earl of Forfar was slain.

The loss of the Earl of Strathmore and of the young Clan Ranald, was a severe blow to the Insurrection. The last was a complete soldier, trained in the French Guards, and full of zeal for

the cause of James. "My family," he replied to Mar's summons to join him, "have been on such occasions ever wont to be the first on the field, and the last to leave it." When he fell out of the ranks, mortally wounded, Mar met him, and, ignorant of what had happened, demanded why he was not in the front. "I have had my share," said the dying chief, and fell dead before his commander. Many of his men retired from the army in consequence of his death.

Thus began and thus ended a confused affray, of which a contemporary ballad-maker truly says, "there is nothing certain, except that there was actually a battle, which he witnessed."[1]

[1] ["There's some say that we wan,
Some say that they wan,
Some say that nane wan at a', man;
But ae thing I'm sure,
That at Sheriffmuir,
A battle there was which I saw, man:
And we ran, and they ran,
And they ran, and we ran,
And we ran, and they ran awa, man.
* * * * * * *
So there such a race was,
As ne'er in that place was,
And as little chase was at a', man;
Frae ither they ran
Without touk o' drum,
They did not make use o' a paw, man."]

CHAPTER LXXI.

Mar's Retreat to Perth—Dissensions among the Troops under Forster and Kenmure—Forster returns to England, and is recognised as General of the Chevalier's Forces there—He marches, with the design of attacking Liverpool, to Preston, is blockaded there by General Willis, and, after some opposition, surrenders at discretion — The Prisoners of Rank sent to London — Escape of Forster, MacIntosh, and Hepburn of Keith —Execution of Derwentwater and Kenmure—Escape of Nithisdale—the other Noblemen pardoned, after a long Imprisonment.

[1715-16.]

THE confused battle of Sheriffmuir being ended by the approach of night, both parties had time to count what they had lost and won in the course of the day. That of the insurgents was easily summed up. The Highlanders, on their right, had behaved with their usual courage, and maintained the reputation which they had acquired of old times under Montrose, and more lately when commanded by Dundee. But in every other particular the events of the battle were unfavourable to the insurgents. A great many of their best men had retired without leave, as was their invariable practice, to see their families, or to secure their small

stock of booty, which some of them had augmented by plundering the baggage of their own army.[1] This desertion thinned the ranks even of those clans who had been victorious, and the Highlanders of the vanquished division of the army had much better reasons for following the example thus set. Their numbers that morning had been from eight to ten thousand men; and at the close of the day, about four thousand of them were missing. Some leaders, too, of high rank and quality, had graced the retreat by their example; and it was said of Huntly and Seaforth in particular, that they were the first fugitives of any rank or condition who reached Perth, and discouraged their numerous followers, by their retreat from the field of action.[2] It was therefore in vain for the insurgents, under this state of diminution and discouragement, to abide a second battle, or endeavour to renew the attempt to pass the Forth, which they had not been

[1] [It had been said of the Highlanders, that they would desert Mar in three cases. If much time was lost ere brought to action, they would tire and go home. If they fought and were victorious, they would plunder and go home; if they fought and were beaten, they would run away and go home.]

[2] ["For Huntly and Sinclair
They both play'd the tinclair,
Wi' conscience black, like a craw, man.
Some Angus and Fife men,
They ran for their life, man;
And ne'er a Lot's wife there at a', man;
And we ran, and they ran.
* * * * * * *
And Hamilton pled
The men were not bred;
For he had nae fancy to fa', man."
Ballad.]

able to accomplish with double their now reduced numbers.

But besides the effects of desertion, the insurgent army had other difficulties to contend with. The improvidence of their leaders had been so unpardonably great, that they had set out from one of the most fertile to a comparatively barren district of Scotland, with provisions for two or three days only, and their ammunition was proportionally scanty. It was therefore evident, that they were in no condition to renew the attempt in which they had that morning miscarried; nor had Mar any alternative, save that of leading back his army to their old quarters at Perth, to wait until some unexpected event should give them spirits for a fresh effort. Accordingly, as already mentioned, having passed the night after the action among the enclosures of Auchterarder, he returned towards Perth the next morning. The Duke of Argyle, on the other hand, having fallen back on Dunblane, with the troops he himself commanded, and, rejoined by such of the fugitives of the left wing as could be collected, he lay on his arms all night, expecting to renew the action on the succeeding day.

On approaching the field of battle on Monday, the 14th of November, at break of day, the Duke of Argyle found it abandoned by the enemy, who had left their dead and wounded at his disposal, together with the honours of the field, amongst which the principal trophies were fourteen colours, or standards, and six pieces of field cannon, which Mar had brought to the field in an useless bravado,

since he had neither ammunition nor men to serve them, and which he had found himself unable to remove. Amongst the gentlemen who fell on this occasion, were several on both sides alike eminent for birth and character. The body of the gallant young Earl of Strathmore was found on the field, watched by a faithful old domestic, who, being asked the name of the person whose body he waited upon with so much care, made this striking reply, "He was a man yesterday."[1]

The Earl of Mar had endeavoured to pave the way for a triumphant return to Perth, by a species of Gazette, in which he claimed the victory on the right and centre, and affirmed, that had the left wing and the second line behaved as his right and the rest of the first line did, the victory had been complete. But he could not again excite the enthusiasm of his followers, many of whom began now in earnest to despair of their situation, the large odds of numbers which they possessed in the field of Sheriffmuir having been unable to secure them a decided victory.

Many rumours were in the mean time spread among the insurgents, concerning successes which were reported to have been obtained by Forster and his troops over General Carpenter in England, and bonfires and rejoicings were made for these

[1] [Compare the finding the body of Sir John Swinton, in the dramatic sketch of Halidon Hill.

"*Edward.*— Where is he?
Chandos.—Here lies the giant! Say his name, young Knight?
Gordon.—Let it suffice, he was a man this morning."
Act II. Scene III.

SCOTT'S *Poetical Works*, vol. xii. p. 82.]

supposed victories, at a time when, in fact, Forster and Kenmure were totally defeated, their soldiers dispersed, and themselves prisoners.

You must not forget that the force of General Forster consisted of the troops of horse levied on the Northumberland frontier by the Earl of Derwentwater and others, joined with the gentlemen of Galloway and Dumfries-shire, under Lord Kenmure, and the Lothian Jacobites, under the Earl of Winton, composing altogether a body of five or six hundred horse, to whom must be added about fourteen hundred Highlanders, being those sent across the frith by the Earl of Mar, under command of MacIntosh of Borlum. You must also recollect, that in this little army there were great differences of opinion as to the route which they were to pursue. The English gentlemen persisted in the delusion, that they had only to show themselves in the west of England, in order to draw the whole country to their standard, while the Scots, both the Lowland gentlemen and Highlanders, desired to march upon Dumfries, and, after taking possession of that town, proceed to the west of Scotland, and force open a communication betwixt their force and the main army under Mar, by which they reasonably hoped to dislodge Argyle from his post at Stirling.

Unfixed which course to pursue, and threatened by General Carpenter, who moved against them from Newcastle towards Kelso, at the head of a thousand horse, the insurgents left the latter town, where they had been joined by the Brigadier Mac-

Intosh, and marched to Jedburgh, not without one or two false alarms. They had, however, the advantage of outstripping General Carpenter, and the English gentlemen became still more impatient to return into their own country, and raise the Jacobites of the west. The Highlanders, learning that such a plan was at last adopted, separated themselves from the horse as soon as the march began, and drawing up on a moor above the town of Hawick, declared, that if the insurgents proposed to march against the enemy, they would fight it out to the last; but that they would not go into England to be kidnapped and made slaves of, as their ancestors were in Cromwell's time. And when the horse drew up, as if for the purpose of attack, the Highlanders cocked their pieces, and prepared for action, saying, that if they must needs be made a sacrifice, they would prefer their own country as the scene of their death. The discontented mountaineers would listen to no one save the Earl of Winton, who joined them in desiring to march westward to the assistance of the Earl of Mar; to whom, indeed, by preventing Argyle from concentrating his forces, they might have done excellent service, for the Duke could never have recalled a regiment of horse which he had at Kilsythe, had the southern insurgents threatened that post. The Highlanders were at length put in motion, under a declaration that they would abide with the army while they remained in Scotland, but should they enter England they would return back.

In the mean time the citizens of the town of Dum-

fries saw themselves again threatened by the rebel forces, and assuming an attitude of resistance, marched out to occupy a position in front of the place, on which they threw up some hasty fortifications.[1] At the same time they received intelligence from General Carpenter, who had now reached Jedburgh, that if they could but defend themselves for six hours, he would within that time attack the rear of the enemy.

The news, that the Dumfries citizens intended to defend their town, which lay in front, while Carpenter was prepared to operate in the rear of the rebels, induced Mr Forster and his friends to renew with great urgency their proposal of entering England, affirming to their northern associates that they were possessed of letters of advice, assuring them of a general insurrection. The Scots, worn out with the perseverance of their English associates, and unable to believe that men would have deceived themselves or others by illusory hopes, when engaged in such a momentous undertaking, at length yielded to their remonstrances. Accordingly, having reached Ecclefechan on their way to Dumfries, the English counsels prevailed, and the insurgents halted at the former village, turned

[1] ["Likewise, considering that they had not arms for all the inhabitants who were fit for service, the Magistrates and Council bought up 100 sithes, caused streight their docks, and fixed them on shafts, delivering them to such of the inhabitants as had least skill of fire-arms, and added a certain number of these sithe-men to every company, to be employed at the barricades, and especially at the trenches, which were now carrying on with all expedition."—RAE, p. 272.]

south, and directed their march on Langholm, with the design of making for the west of England.

The Earl of Winton dissented so widely from the general resolution, that he left the army with a considerable part of his troop, and it seemed for a time as if he had renounced the undertaking entirely.[1] Ashamed, however, to break off abruptly from a cause which he had embraced from motives of duty and conscience, he changed his purpose, and again joined the main body. But though this unfortunate young nobleman returned to the fatal standard, it was remarked that from this time he ceased to take any interest in the debates or deliberations of his party, but seized with a kind of reckless levity upon such idle opportunities of amusement as chance threw in his way, in a manner scarce resembling one engaged in an important and perilous enterprise.[2]

The Highlanders were again divided from their confederates in their opinion respecting the altera-

[1] ["He was always forward for action, but never for the march into England. His advice, if followed, would in all probability have tended to their great advantage, the King's forces being then so small. However, therefore, some people have represented that lord, of which I shall say no more, all his actions both before being made prisoner, and till he made his escape, speak him to be master of more penetration than many of those whose characters suffer no blemish as to their understanding."—PATTEN, p. 53.]

[2] ["He was never again invited to their councils of war, and was otherwise treated with marked disrespect. These slights gave the Earl but little trouble; he continued to amuse himself with such company as chance threw in his way, and entertained them with stories of his travels and adventures in low life."—SIR WALTER SCOTT, *ante*, vol. vii., p. 401.]

tion of the line of march, and the object of their expedition. Many agreed to march into England. Others, to the number of four hundred, broke away entirely from their companions, with the purpose of returning to their mountains through the western districts and by the heads of the Forth. They might have accomplished this, but for the difficulty of finding provisions, which obliged them to separate into small parties, several of which were made prisoners by the peasantry, who in that country were chiefly Cameronians, and accustomed to the use of arms.

The rest of the army, diminished by this desertion, proceeded to Brampton, near Carlisle, where Mr Forster, producing his commission to that effect, was recognised as General of King James's forces in England. It is possible, that the desire to obtain the supreme command of the army might have made this gentleman the more anxious for having the march directed on his native country; and his first exploit in his new capacity seemed to give a lustre to his undertaking, although the success was more owing to the fears of the opposite party, than to any particular display of courage on the part of the Jacobite General and his little army.

It must be observed, that the horse-militia of Westmoreland, and of the northern parts of Lancashire, had been drawn out to oppose the rebels; and now the *posse comitatus* of Cumberland, amounting to twelve thousand men, were assembled along with them at Penrith, by summons from Lord Lonsdale, sheriff of the county. But being a mere un-

disciplined mob, ill-armed, and worse arrayed, they did not wait for an attack either from the cavalry, or the Highlanders, but dispersed in every direction, leaving to the victors the field of battle, covered with arms and a considerable number of horses. Lonsdale, deserted by every one save about twenty of his own servants, was obliged to make his escape, and found shelter in the old castle of Appleby.

In marching through Cumberland and Westmoreland,[1] there was little seen of that enthusiasm in the Jacobite cause which the English officers had taught their associates to expect. Manchester was on this, as upon a later occasion, the first town where the inhabitants seemed disposed to embark in the insurrection, and form a company for that purpose. Intimation of their friendly disposition reached the insurgents at Lancaster, and encouraged them to advance.[2] It was, indeed, time that their friends should join them, for they

[1] ["There was among the insurgents in this march, one Mr Gavin, who went into the churches in their way, and scratched out King George's name from the prayer books, substituting that of the Pretender so nicely, that it resembled print very much, and the alteration could scarce be perceived."—PATTEN.]

[2] ["They continued at Lancaster from Monday the 7th, to Wednesday the 9th, during which time they seized some new arms, which were in the Custom-house, some claret, and a good quantity of brandy, which was all given to the Highlanders to oblige them; they likewise took up all the money belonging to the revenue, which was either in the Excise-office or Custom-house; also in the harbour, and which belonged to Mr Heysham, a merchant of London, and member of Parliament. They found six pieces of cannon, which they seized, mounted them upon new carriages, and took them to Preston."—PATTEN, p. 91.]

had daily news of troops marching to oppose and surround them. On their side they resolved to extend themselves, the more easily to gather fresh forces;[1] and having moved from Lancaster to Preston, they resolved to possess themselves of Warrington bridge, with a view to securing Liverpool.

While they were scheming an attack on this celebrated seaport, which its citizens were preparing to defend with much vigour, the Government forces, which had assembled around them, were advancing towards them on several quarters.

It seems strange, that while possessing a strong party of friends in the country, being a very large proportion of the landed gentry, with a considerable proportion of the populace, the insurgents

[1] ["A great many Lancashire gentlemen joined us," adds Patten, "with their servants and friends. It is true that most of them were Papists, which made the Scots gentlemen and the Highlanders mighty uneasy, very much suspecting the cause; for they expected all the High-church party to have joined them. Indeed, that party, who are never right hearty for the cause, till they are mellow, as they call it, over a bottle or two, begin now to show us their blind side; and that is their just character, that they do not care for venturing their carcasses any farther than the tavern; there indeed, with their High-church and Ormond, they would make men believe, who do not know them, that they would encounter the greatest opposition in the world; but after having consulted their pillows, and the fume a little evaporated, it is to be observed of them, that they generally become mighty tame, and are apt to look before they leap, and with the snail, if you touch their houses, they hide their heads, shrink back, and pull in their horns. I have heard Mr Forster say he was blustered into this business by such people as these, but for the time to come he would never again believe a drunken Tory."]

should nevertheless have suffered themselves to be so completely surprised. But the spirit of delusion which possessed the whole party, and pervaded all their proceedings, was as remarkable here as on other occasions. While Forster and his companions were thinking of extending the fire of insurrection to Manchester and Liverpool, General Willis, who commanded in Cheshire for King George, had taken measures for extinguishing it entirely. This active general issued orders to several regiments, chiefly of horse and dragoons, quartered in the neighbouring counties, appointing them to rendezvous at Warrington bridge on the 10th of November, on which day he proposed to place himself at their head, and dispute with the rebels their approach to Manchester. At the same time, Willis entered into communication with General Carpenter, whose unwearied exertions had dogged the insurgents from Northumberland, and was now advancing upon them.

These tidings came like a thunderbolt on Forster's army. Forster had but a choice of difficulties, namely, either to march out and dispute with Major-General Willis the passage of the river Ribble, by which Preston is covered, or abide within an open town, and defend it by such assistance from fortifications, barricades, and batteries, as could be erected within a few hours.

The first of these courses had its advantages. The bridge across the Ribble was long, narrow, and might have been easily defended, especially as there was a party of one hundred chosen Highlanders

stationed there, under the command of John Farquharson of Invercauld, a chief of great character for courage and judgment; and who, though General Willis was approaching very near to the bridge, might have been relied on as secure of maintaining his ground till succours were despatched from the town. Beyond the bridge there extended a long and deep lane, bordered with hedges, well situated for defence, especially against cavalry. All this was in favour of the defence of the bridge; but, on the other hand, if Forster had drawn his squadrons of gentlemen out of Preston, he must have exposed them to the rough shock of ordinary troopers, which they were neither mounted nor armed so as to sustain. It was probably this which determined the Jacobite leader to maintain his defence in the town of Preston itself, rather than in front of it. The insurgents took judicious measures for this purpose, and pursued them with zeal and spirit. Four barricades were hastily erected. The Earl of Derwentwater, stripping to the waistcoat, encouraged the men to labour as well by his own example as his liberality, and the works were speedily completed.

One of these barriers was situated a little below the church, and was supported by the gentlemen volunteers, who mustered in the churchyard. The defence was commanded by Brigadier MacIntosh. The second was formed at the end of a lane, which was defended by Lord Charles Murray; the third was called the Windmill barricade—it was held out by the Laird of MacIntosh, chief of the name;

the fourth barricade was drawn across the street leading towards Liverpool, and was stoutly manned by Hunter, the Northumbrian freebooter, and his moss-troopers. Each barricade was protected by two pieces of cannon; and the houses on both sides of the street were occupied by defenders, so as to pour a destructive flanking fire on any assailant. General Willis, having accurately surveyed the defences, resolved upon attacking them.

On Saturday, the 12th of November, being the day previous to that on which the battle of Sheriffmuir was fought, General Willis commenced his operations upon the town of Preston by a double attack. The barricade on the street below the church was assaulted with great fury; but so insupportable a fire was opened from the defences and the houses adjacent, that the assailants were beat off with considerable loss. It would seem, that to aid him in the defence of his post, Brigadier MacIntosh had called in some soldiers who had been posted in the street leading to Wigan. Preston's regiment (well known as the Old Cameronian, and forming part of Willis's attacking force) were therefore enabled to penetrate through that avenue, and seizing two houses which overlooked the town, did the defendants more injury than they sustained from any other attack. The barricade commanded by Lord Charles Murray, was, in like manner, stoutly attacked, and fiercely defended; but the Jacobite officer receiving a reinforcement of fifty volunteers, his resistance was ultimately successful. Captains Hunter and Doug-

las likewise made a desperate defence at the barrier intrusted to them, and the assault upon the post defended by the Chief of MacIntosh, was equally fatal to the assailants.

When the soldiers of Willis retired from their various points of attack, they set fire, according to their orders, to the houses betwixt them and the barricades. By the light afforded by this conflagration, the skirmish was carried on during the night; and had not the weather been uncommonly still, Preston, which was the scene of contest, must have been burned to the ground.

Although the insurgents had preserved the advantage in every attack, it was evident, that, cut off from all assistance, and cooped up in the streets of a burning town, where they had but few men to maintain an extended circle of defence, nothing short of a miracle could relieve them. General Willis, whilst directing the attack on the barricades, had, at the same time, guarded every pass by which the devoted band could escape. Of those who desperately attempted to sally, several were cut to pieces; and it was but very few who escaped by hewing their way through the enemy.

On the morning of the 13th, being the day after the attack, the situation of Forster and his army became yet more desperate. General Carpenter, so long their pursuer, now came up with so many additional forces, chiefly cavalry, as completed the blockade of the place, and left the besieged no hope of escape or relief. Willis, as inferior in rank, offered to resign, of course, the charge of the siege

to his superior officer; but General Carpenter generously refused to take the command, observing, that Willis deserved the honour of finishing the affair which he had begun so auspiciously. The dispositions of the latter general were therefore so actively followed up, that the blockade of the town was effectually completed, and the fate of the rebels became inevitable.

The scene of unavoidable destruction had different effects upon the different characters of the unfortunate insurgents in Preston, in like manner as the approach of imminent peril has upon domesticated and savage animals when they are brought to extremity,—the former are cowed into submission, while the latter, brought to bay, become more desperately ferocious in their resistance. The English gentlemen began to think upon the possibility of saving their lives, and entertained the hope of returning once more to the domestic enjoyments of their homes and their estates; while the Highlanders, and most of the Scottish insurgents, even of the higher classes, declared for sallying out and dying like men of honour, with sword in hand, rather than holding their lives on the base tenure of submission.

Such being their different views of the measures to be adopted, the English determined to accomplish a capitulation at all events; and Oxburgh, an Irish Catholic, who had been Forster's tutor in military matters, went out to propose a surrender to the English generals.[1] The mission was coldly

[1] ["Colonel Oxburgh, pretending acquaintance with some of

received, and he was distinctly given to understand, that no terms would be granted excepting those of unconditional surrender, with the sole provision that they should be secured from immediate execution. He returned to the town, and the errand on which he had visited the enemy's position being understood, General Forster was nearly pistolled by a Scottish gentleman, named Murray, and his life only saved by a friendly hand, which struck the weapon upwards in the act of its being discharged.

Captain Dalzell, brother of the Earl of Carnwath, then went out in the name of the Scots, but could obtain no more favourable terms. Some time, however, was gained, in which the principal leaders had time to consider that Government might be satisfied with a few examples, while the greater part of the insurgents, in which every one's confidence in his individual good luck led him to hope he would be included, would escape at least the extremity of punishment. After the Scots, and especially the Highlanders, had persisted for some time in their determination of resistance, they at length found themselves obliged to surrender on no better terms than the English, which amounted only to this, that they should not be instantly put

the officers," says Patten, "made an offer to go out and treat of a surrender. As this was done without the knowledge of the rebel army, the common soldiers were told that General Willis had sent to offer honourable terms to them, if they would lay down their arms; so blinded were we with their Tory lies to the last: But certain it is, had his design been known, that gentleman had never seen Tyburn, for he had been shot dead by the consent of all the common men before he had gone out of the barrier."—P. 113.]

to the sword. Their leaders[1] were surrendered as hostages; and at length, after manifesting the greatest unwillingness to give up their arms, they accepted the capitulation, if such it could be called. It certainly appears, that by surrendering at discretion, the greater part of them expected at least to save their lives.[2]

On laying down their arms, the unhappy garrison were enclosed in one of the churches, and treated with considerable rigour, being stripped and ill-used by the soldiery.[3] About fourteen

[1] [The Earl of Derwentwater, and Brigadier MacIntosh.]

[2] ["Mr Forster sent out to acquaint General Willis that they were willing to give themselves up, prisoners at discretion, as he had demanded. But MacIntosh being present, said, he could not answer that the Scots would surrender in that manner, that they were a people of desperate fortunes, and that he had known what it was to be a prisoner at discretion. Upon this the General said, 'Go back to your people again, and I will attack the town, and the consequence will be, I will not spare one man of you:' MacIntosh went, but came running out immediately again, and said, that the Lord Kenmure, and the rest of the noblemen, with his brother, would surrender in like manner with the English."—RAE, p. 322.]

[3] The laced clothes of the gentlemen was the temptation to this outrage. The prisoners were obliged to strip the pews of their baize linings, in order to apply the cloth to the purpose of decent covering. A family tradition runs thus: A gentleman, who fought as a trooper in one of the Scottish squadrons, was shot through the body at the barricade. He was conceived to be mortally wounded, and lay stretched in a pew in the church, an affectionate comrade supporting his head, and expecting every moment to receive his last sigh. After much sickness, the wounded man's stomach is said to have relieved itself by discharging a piece of his scarlet waistcoat, which the ball had carried into his body. The assistant, much amazed at such a phenomenon, being also one of that class of men who cannot forbear a jest, even in the most melancholy circumstances, observed, "Heigh, Walter, I am

hundred men, of all sorts, were included in the surrender; amongst whom there were about two hundred domestic servants, followers of the gentlemen who had assumed arms, about three hundred gentlemen volunteers, the rest consisting of Brigadier MacIntosh's command of Highlanders. Six of the prisoners were condemned to be shot by martial law, as holding commissions under the Government against which they had borne arms.[1] Lord Charles Murray obtained a reprieve with difficulty, through the interest of his friends. Little mercy was shown to the misguided private men, whose sole offence was having complied with what was in their eyes a paramount duty, the obedience to their chiefs.[2] Very many underwent the fate which made them so unwilling to enter England, namely, that of banishment to the plantations in America.

fain to see you have a stock of braid cloth in your bowels; and since it is sae, I wish you would exert yourself again, and bring up as much as would make a pair of breeks, for I am in mickle need o' them." The wounded man afterwards recovered.

[1] [These were Lord James Murray, a younger son of the Duke of Athol; Major Nairne; Captain Philip Lockhart, brother to Mr Lockhart of Carnwath; Captain John Shoftoe; Ensign Erskine, and Ensign Dalziel, brother of the Earl of Carnwath. Dalziel was acquitted as to the crime of desertion, after proof that he had thrown up his commission before joining the rebels. Lord Murray was reprieved; the other four were shot at Preston, 2d December.—RAE, p. 326.]

[2] [Patten records some instances of individual heroism and self devotion during the affair of Preston—"Captain Peter Farquharson of Rochley, a gentleman of an invincible spirit, and almost inimitable bravery, was shot through the bone of the leg. When brought into the White Bull Inn, where all the wounded were carried to be dressed, he took a glass of brandy, and said,

The prisoners of most note were sent up to London, into which they were introduced in a kind of procession, which did less dishonour to the sufferers than to the mean minds who planned and enjoyed such an ignoble triumph. By way of balancing the influence of the Tory mob, whose violences in burning chapels, &c., had been of a formidable and highly criminal character, plans had been adopted by Government to excite and maintain a rival spirit of tumult among such of the vulgar as were called, or called themselves, the Low Church party. Party factions often turn upon the most frivolous badges of distinction. As the Tories had affected a particular passion for ale, as a national and truly English potation, their parliamentary associations taking the title of the October and the March Clubs; so, in the spirit of opposition, the

'Come, lads, here is our master's health; though I can do no more, I wish you good success.' His leg was cut off by an unskilful butcher, rather than a surgeon, and he presently died."—P. 104. A nameless lad, and lame, was employed to carry powder on horseback from one post to another. "He was told that they wanted powder at MacIntosh's Barrier; but, if he went, he would certainly be shot. He answered, 'I know I cannot avoid that if I go; but since they want it, if I cannot carry it quite up to them, I'll carry it as far as I can;' and so set forward, and both he and his horse were shot dead."—P. 128. Major Preston, of the King's forces, was shot through the body a little above the breast. "He was a man of great gallantry and composed courage, as was visible in thus exposing himself to danger, for he was spent in a languishing consumption even to a skeleton; and told us (the rebels) that the wound he received had only shortened his days two or three months, and seeing it was in the service of his King and Country, he far preferred it to the lingering death he expected. He died in our hands."—P. 127.]

Whigs of the lower rank patronised beer (distinguished, according to Dr Johnson, from ale, by being either older or smaller), and mug-houses were established, held by landlords of orthodox Whig principles, where this protestant and revolutionary liquor was distributed in liberal quantities, and they speedily were thronged by a set of customers, whose fists and sticks were as prompt to assault the admirers of High Church and Ormond, as the Tories were ready to defend them. It was for the gratification of the frequenters of these mug-houses, as they were called, that the entrance of the Preston prisoners into London was graced with the mock honours of a triumphal procession.

The prisoners, most of them men of birth and education, were, on approaching the capital, all pinioned with cords like the vilest criminals. This ceremony they underwent at Barnet. At Highgate they were met by a large detachment of horse grenadiers and foot guards, preceded by a body of citizens decently dressed, who shouted to give example to the mob. Halters were put upon the horses ridden by the prisoners, and each man's horse was led by a private soldier. Forster, a man of high family, and still Member of Parliament for Northumberland, was exposed in the same manner as the rest. A large mob of the patrons of the mug-houses attended upon the occasion, beating upon warming-pans (in allusion to the vulgar account of the birth of the Chevalier de St George), and the prisoners, with all sorts of scurrilous abuse and insult, were led through the streets of the city in this

species of unworthy triumph, and deposited in the jails of Newgate, the Marshalsea, and other prisons in the metropolis.

In consequence of this sudden increase of tenants, a most extraordinary change took place in the discipline of these melancholy abodes. When the High Church party in London began to recover from the astonishment with which they had witnessed the suppression of the insurrection, they could not look back with much satisfaction on their own passive behaviour during the contest, if it could be called one, and now endeavoured to make up for it by liberally supplying the prisoners, whom they regarded as martyrs in their cause, with money and provisions, in which wine was not forgotten. The fair sex are always disposed to be compassionate, and certainly were not least so in this case, where the objects of pity were many of them gallant young cavaliers, sufferers in a cause which they had been taught to consider as sacred. The consequence was, that the prisons overflowed with wine and good cheer, and the younger and more thoughtless part of the inmates turned to revelling and drowning in liquor all more serious thoughts of their situation; so that even Lord Derwentwater himself said of his followers, that they were fitter inhabitants for Bridewell than a state prison. Money, it is said, circulated so plentifully among them, that when it was difficult to obtain silver for a guinea in the streets, nothing was so easy as to find change, whether of gold or silver, in the jail. A handsome, high spirited

young Highland gentleman, whom the pamphlets of the day call Bottair (one of the family of Butter in Athole), made such an impression on the fair visitors who came to minister to the wants of the Jacobite captives, that some reputations were put in peril by the excess of their attentions to this favourite object of compassion.

When such a golden shower descends on a prison, the jailor generally secures to himself the largest share of it; and those prisoners who desired separate beds, or the slightest accommodation in point of lodging, had to purchase them at a rate which would have paid for many years the rent of the best houses in St James's Square or Piccadilly. Dungeons, the names of which indicate their gloomy character, as the Lion's Den, the Middle Dark, and the like, were rented at the same extravagant prices, and were not only filled with prisoners, but abounded with good cheer.

These riotous scenes went on the more gaily that almost all had nursed a hope, that their having surrendered at discretion would be admitted as a protection for their lives. But when numerous bills of high treason were found against them, escape from prison began to be thought of, which the command of money, and the countenance of friends without doors, as well as the general structure of the jails, rendered more easy than could have been expected. Thus, on the 10th of April, 1716, Thomas Forster escaped from Newgate, by means of false keys, and having all things prepared, got safely to France. On the 10th of May, Brigadier MacIntosh, whom we have so often men-

tioned, with fourteen other gentlemen, chiefly Scottish, took an opportunity to escape in the following manner. The Brigadier having found means to rid himself of his irons, and coming down stairs about eleven at night, he placed himself close by the door of the jail; and as it was opened to admit a servant at that time of night (no favourable example of prison discipline),[1] he knocked down the jailor, and made his escape with his companions, some of whom were retaken in the streets, from not knowing whither to fly.

Among the fugitives who broke prison with MacIntosh, was Robert Hepburn of Keith, the same person in whose family befell the lamentable occurrence mentioned in a former chapter of this volume (at pages 286–8).

This gentleman had pinioned the arms of the turnkey by an effort of strength, and effected his escape into the open street without pursuit. But he was at a loss whither to fly, or where to find a friendly place of refuge. His wife and family were, he knew, in London; but how, in that great city, was he to discover them, especially as they most probably were residing there under feigned names? While he was agitated by this uncertainty, and fearful of making the least enquiry, even had he known in what words to express it, he saw at a window in the street an ancient piece of plate, called the Keith Tankard, which had long belonged

[1] ["Potts, the Keeper of Newgate, being suspected of having connived at Forster's escape, was tried for his life at the Old Bailey, and acquitted."—SMOLLETT.]

to his family. He immediately conceived that his wife and children must be inhabitants of the lodgings, and entering, without asking questions, was received in their arms. They knew of his purpose of escape, and took lodgings as near the jail as they could, that they might afford him immediate refuge; but dared not give him any hint where they were, otherwise than by setting the well-known flagon where it might by good fortune catch his eye. He escaped to France.

The noblemen who had placed themselves at the head of the rebellion were now called to answer for their guilt; and articles of impeachment of high treason were exhibited by the House of Commons against the Earl of Derwentwater, and the Lord Widdrington, in England; and the Earls of Nithisdale, Winton, and Carnwath, Lord Viscount Kenmure, and Lord Nairne, in Scotland. They severally pleaded Guilty to the articles, excepting the Earl of Winton, who pleaded Not Guilty.

Lord Derwentwater and Lord Kenmure suffered death on the 24th February, 1715-16. The Earl of Derwentwater, who was an amiable private character, hospitable and generous, brave and humane, revoked on the scaffold his plea of guilty, and died firmly avowing the political creed for which he suffered. Lord Kenmure, a quiet, modest gentleman, shared Derwentwater's fate; and he showed the same firmness. There is a tradition that the body of Lord Derwentwater was carried down to Westmoreland in great pomp, the procession, however, moving only by night, and resting by day in

chapels dedicated to the exercise of the Catholic religion, where the funeral services of that church were performed over the body during the day, until the approach of night permitted them to resume their progress northward; and that the remains of this unfortunate nobleman were finally deposited in his ancestors' burial place at Dilston hall.[1] His large estates were confiscated to the crown, and now form the valuable property of Greenwich Hospital.

Charles Ratcliff, brother to the Earl of Derwentwater, and doomed to share his fate, after a long interval of years, saved himself for the time by breaking prison.

But what chiefly attracted the attention of the public, was the escape of the Earl of Nithisdale, who was destined to have shared the fate of Derwentwater and Kenmure.

The utmost intercession had been made, in every possible shape, to save the lives of these unfortunate noblemen and their companions in misfortune, but it had been found unavailing. Lady Nithisdale, the bold and affectionate wife of the condemned Earl, having in vain thrown herself at the feet of the reigning monarch, to implore mercy for her husband,[2] devised a plan for his escape of the

[1] [See the ballad of "Lord Derwentwater's Good Night," and the Communication from Mr Surtees, in the Notes, *Hogg's Jacobite Relics*, vol. ii., pp. 30, 269, 270.]

[2] ["I threw myself at the King's feet," says she, "and told him in French, that I was the unfortunate Countess of Nithisdale, that he might not pretend to be ignorant of my person. But perceiving that he wanted to go off without receiving any petition,

same kind with that since practised by Madame Lavalette. She was admitted to see her husband in the Tower upon the last day which, according to his sentence, he had to live. She had with her two female confidants. One brought on her person a double suit of female clothes. This individual was instantly dismissed, when relieved of her second dress. The other person gave her own clothes to the Earl, attiring herself in those which had been provided. Muffled in a riding-hood and cloak, the Earl, in the character of lady's maid, holding a handkerchief to his eyes, as one overwhelmed with deep affliction, passed the sentinels, and being safely conveyed out of the Tower, made his escape to France.[1] We are startled to find,

I caught hold of the skirt of his coat, that he might stop and hear me. He endeavoured to escape out of my hands; but I kept such strong hold, that he dragged me upon my knees from the middle of the room to the very door of the drawingroom. At last one of the *blue ribbons* who attended his Majesty, took me round the waiste, whilst another wrested the coat out of my hands. The petition which I had endeavoured to thrust into his pocket, fell down in the scuffle, and I almost fainted away through grief and disappointment."—*Letter to her sister the Countess of Traquair, in Transactions of the Society of Scottish Antiquaries*, vol. i. pp. 523, 538.]

[1] ["His Lordship had disponed his estate to his son, Lord Maxwell, 28th November, 1712, reserving his own liferent; it was finally determined by the House of Lords, 21st January, 1723, that only his liferent of the estate was forfeited. His honours were extinguished by his attainder; and he died at Rome, 20th March, 1744. His wife, Lady Winifred Herbert, daughter of William, Marquis of Powys, surviving him five years, died at Rome in 1749. Their son, John Lord Maxwell, came into possession of the family estate in 1744."—WOOD'S *Peerage*, vol. ii. p. 321.]

that, according to the rigour of the law, the life of the heroic Countess was considered as responsible for that of the husband whom she had saved; but she contrived to conceal herself.

Lord Winton received sentence of death after trial, but also made his escape from the Tower, 4th August, 1716.[1] As Charles Ratcliff had already broke prison about the same time, we may conclude either that the jailors and marshals did not exhibit much vigilance on this occasion, or that the prisoners found means of lulling it to sleep. The Earl of Carnwath, Lords Widdrington and Nairne, were, after a long imprisonment, pardoned as far as their lives were concerned, in consequence of a general bill of indemnity.

Of inferior persons, about twenty of the most resolute of the Preston prisoners were executed at that place and at Manchester, and four or five suffered at Tyburn. Amongst these the execution of William Paul,[2] a clergyman, a true friend, as he

[1] ["When waiting his fate in the Tower, he made good use of his mechanical skill, sawing through, with great ingenuity, the bars of the windows through which he made his escape He ended his motley life at Rome in 1749 [aged 70], and with him terminated the long and illustrious line of Seton, whose male descendants have, by intermarriage, come to represent the great houses of Gordon, Aboyne, and Eglinton. Their estate was forfeited, and has since passed through several hands."—SIR WALTER SCOTT, *ante*, vol. vii. p. 401; WOOD'S *Peerage*, vol. ii. p. 648.]

[2] [The Reverend William Paul, of St John's College, Cambridge. "He came boldly up to Mr Forster, as he was at dinner with Mr Patten, at the Recorder of Lancaster's house. He entered the room in a blue coat, with a long wig and a sword, and Mr John Cotton of Cambridgeshire with him. They let him

boasted himself, of the anti-revolutionary church of England, made a strong impression on those of his party.

Thus closed the Rebellion and its consequences, as far as England was concerned. We must now take a view of its last scenes as exhibited in Scotland.

know who they were, and in a flourishing way made a tender of their services for the cause; which Mr Forster accepting, they withdrew."—PATTEN, p. 92.—Mr Paul ardently begged life, in letters and petitions of recantation and penitence. To the Archbishop of Canterbury he says, "I humbly desire your Grace to use your utmost endeavours to save a poor clergyman's life. If it will not be granted to spend the remainder of it in England, I beg you will be pleased to send me to the Plantations, or any where rather than Tyburn." His petitions to the King, and others, speak of "the late unnatural rebellion against his Majesty which he detests and abhors. He humbly begs leave, in all sorrow of heart, to acknowledge his great and heinous offence; and from the bottom of his soul, asks pardon of God, his Majesty, and the Church and nation." And, at the place of execution, being interrupted in reading, he handed to the Sheriff of London a paper addressed to the people, which has, "I exhort you all to return to your duty. Remember that King *James* the *Third* is your only rightful Sovereign, by the laws of the land, and therefore, if you would perform the duty of justice to him, which is due to all mankind, you are obliged in conscience to do all you can to restore him to his crown."—*Faithful Register*, &c., pp. 305, 312, 323.]

CHAPTER LXXII.

The Arrival of Dutch Troops—Simon Fraser of Lovat—Desertion of the Clan Fraser to the Whig Interest—A General Council of the Jacobite Leaders breaks up without coming to any Conclusion—An Offer of Submission upon Terms, made to Argyle, and Rejected—Arrival of the Chevalier—Exertions of Argyle to put an end to the Rebellion—His March towards Perth—Exultation of the Jacobite Highlanders in the Prospect of another Battle—their Fury and Despair on its being hinted that it was intended to Retreat—A Retreat resolved on.

[1715—1716.]

WE left the insurgents when the melancholy news of the termination of the campaign of Forster, with his Highland auxiliaries, at the barricades of Preston, had not yet reached them; the moment it did, all hopes of a general insurrection in England, or any advantage being obtained there, were for ever ended.

The regular troops which had been detained in England to suppress the northern insurgents, were now set at liberty, and Mar could no longer rely upon Argyle's remaining inactive for want of men. Besides, the Estates of the United Provinces had now, upon the remonstrance of General Cadogan, despatched for Britain the auxiliary forces which

they were bound by treaty to furnish in case of invasion, and three thousand of them had landed at Deptford. The other three thousand Dutch troops, designed for ports in the north, had been dispersed by a storm, and driven into Harwich, Yarmouth, and elsewhere, which induced the Government to order those at Deptford, as the most disposable part of this auxiliary force, to move instantly down to Scotland.

Events equally unfavourable to the rebels were taking place in the North of Scotland; and, in order to ascertain the progress of these, it is necessary to trace some passages of the life of Simon Fraser, one of the most remarkable characters of his time.

He was by birth the nearest male heir to the estate of Lovat, and to the dignity of Chief of the Frasers[1]—no empty honour, since the clan contained a following of from seven hundred to a thousand men. The chief last deceased, however, had left a daughter, and Simon was desirous, by marriage with this young lady, to unite her pretensions to the chieftainship and estate with his own. As his character was bad, and his circumstances accounted desperate, the widowed mother of the young heiress, a lady of the house of Athole, was averse to this match, and her powerful family countenanced her repugnance.[2]

[1] ["Simon was the son of Thomas Fraser of Beaufort, next male heir to the house of Lovat after the death of Hugh, Lord Lovat, without male issue."—SIR WALTER SCOTT, *ante*, vol. xx. p. 61.]

[2] ["The Dowager Lady Lovat was a daughter of the Marquis of Athole; and that powerful family was, therefore, induced to

Being a man of a daring character, deep powers of dissimulation, and master of the tempers of the lower class of Highlanders, Simon found it no difficult matter to obtain the assistance of a strong party of Frasers, chiefly desperate men, to assist in a scheme of seizing on the person of the young heiress. She escaped his grasp, but her mother, the widow of the late Lord Lovat, fell into his power. Equally short-sighted as unprincipled, Fraser imagined that by marrying this lady, instead of her daughter, he would secure, through her large jointure, some legal interest in the estate. With this view he accomplished a forced marriage betwixt the Dowager Lady Lovat and himself, and enforced his rights as her pretended husband with the most brutal violence.[1] For this abominable and atrocious outrage against a matron widow of his own near connexion, and a sister of the powerful Marquis of Athole, letters of fire and sword were granted against Fraser and his adherents, and being

take great interest in disposing of the young lady in marriage. Various quarrels, during the time that Simon of Beaufort held a commission in his regiment, had made him particularly unacceptable to the Marquis of Athole and his family, who viewed his assuming the title of Master of Lovat, and proposing himself as a husband for their kinswoman, with a very evil eye."—*Ibid.*]

[1] ["Having raised a gallows on the green before Castle Downie, where she then resided, to intimidate all who might protect the object of his violence—a lady advanced in life, and whose person is said to have been as little inviting as her character was respectable,—he went through the mock ceremony of a wedding, had her dress cut from her person with a dirk, and subjected her to the last extremity of brutal violence, while the pipes played in the next apartment to drown her screams."—SIR WALTER SCOTT, *ante*, vol. xx. p. 62.]

outlawed by the High Court of Justiciary, he was forced to fly to France. Here he endeavoured to recommend himself at the court of St Germains, by affecting much zeal for the Jacobite cause, and pretending to great interest with the Highland chiefs, and the power of rendering effectual service amongst them. The Chevalier de St George and the French King were aware of the infamy of the man's character, and distrusted the proposal which he laid before them, for raising an insurrection in the Highlands. Mary of Este, more credulous, was disposed to trust him; and he was detached on a Jacobite mission, which he instantly betrayed to the Duke of Queensberry, and which created much disturbance in the year 1703, as we have noticed in its place.[1] His double treachery being discovered, Simon Fraser was, on his return to France, thrown into the Bastile, where he remained for a considerable time. Dismissed from this imprisonment, he waited for an opportunity where he might serve his own interest and advance his claims upon the chieftainship of the clan Fraser and the estate of Lovat, by adopting the political side betwixt the contending parties which should bid fairest to serve his purpose.

The time seemed now arrived, when, by the insurrection of Mar, open war was declared betwixt the parties. His cousin, the heiress of Lovat, had been married to Mackenzie of Fraserdale, who, acting as chief of his wife's clan, had summoned the Frasers to arms, and led a body of five hundred

[1] See *ante*, page 131.

clansmen to join the standard of the Chevalier de St George. They marched to Perth accordingly. In the mean time, Simon Fraser arrived in Scotland, and made his appearance, like one of those portentous sea monsters whose gambols announce the storm. He was first seen at Dumfries, where he offered his personal services to join the citizens, who were in arms to repel an attack from Kenmure, Nithisdale, and their followers. The Dumfriesians, however, trusted him not, nay were disposed to detain him a prisoner; and only permitted him to march northward on the assurance of the Marquis of Annandale, that his presence there would be favourable to King George and his cause. It proved so accordingly.

Simon Fraser arrived in Inverness-shire, and hastened to form an intimate alliance with Duncan Forbes, brother of John Forbes of Culloden, and a determined friend to Government. Forbes was an excellent lawyer, and a just and religious man. At another time, he would probably have despised associating himself with a desperate outlaw to his country, black with the charges of rape, murder, and double treachery. But the case was an extreme one, in which no assistance that promised to be available was to be rejected.[1] Simon Fraser obtained pardon and favour, and the influence of the

[1] [See *ante*, vol. xx., pp. 63, 64. "As Duncan Forbes," adds Sir Walter Scott, "was not so squeamish as to quarrel with the society of Colonel Charteris, there is the less wonder that he endured that of Lovat. Still there is something ludicrous in the coincidence, that two special friends of so respectable a man should have both been in trouble on so infamous an accusation."]

patriarchal system was never more remarkably illustrated than in his person. His character was, as we have seen, completely infamous, and his state and condition that of an adventurer of the very worst description. But by far the greater number of the clan were disposed to think that the chiefship descended to the male heir, and therefore preferred Simon's title to that of Fraserdale, who only commanded them as husband of the heiress. The mandates of Fraser, now terming himself Lovat, reached the clan in the town of Perth. They were respected as those of the rightful chief; and the Frasers did not hesitate to withdraw from the cause of the Chevalier de St George, and march northwards, to place themselves under the command of their restored patriarch by male descent, who had embraced the other side. This change of sides was the more remarkable, as most of the Frasers were in personal opinion Jacobites. We have already noticed that the desertion of the Frasers took place the very morning when Mar broke up to march on Dumblane; and, as a bold and warlike clan, their absence, on the 12th November, was of no small disadvantage to the party from whom they had retired.

Shortly after this, the operations of this clan, under their new leader, became directly hostile to the Jacobite cause. Sir John MacKenzie of Coul had, at the period of the Earl of Seaforth's march to Perth, been left with four hundred MacKenzies, to garrison Inverness, which may be termed the capital of the North Highlands. Hitherto his task

had been an easy one, but it was now likely to become more difficult. Acting upon a plan concerted betwixt him and Duncan Forbes, Lovat assembled his clan, and with those of the Monroes, Rosses, and Grants, who had always maintained the Whig interest, attacked Inverness, with such success, that they made themselves masters of the place, which Sir John MacKenzie found himself compelled to evacuate without serious resistance. The Earl of Sutherland also, who was still in arms, now advanced across the Murray frith, and a considerable force was collecting in the rear of the rebels, and in a position which threatened the territories of Huntly, Seaforth, and several other chief leaders in Mar's army.

These various events tended more and more to depress the spirits of the noblemen and heads of clans who were in the Jacobite army. The indefinite, or rather unfavourable, issue of the affair of Sheriffmuir, had discouraged those who expected, by a decisive victory, if not to carry their principal and original purpose, at least to render themselves a foe to whom the Government might think it worth while to grant honourable terms of accommodation.

Most men of reflection, therefore, now foresaw the inevitable ruin of the undertaking; but the General, Mar, having formally invited the Chevalier de St George to come over and put himself at the head of the insurrectionary army, was under the necessity, for his own honour, and to secure the chance which such an impulse might have given to

his affairs, of keeping his troops together to protect the person of the Prince, in case of his accepting this perilous invitation, which, given before the battle of Sheriffmuir, was likely to be complied with. In this dilemma he became desirous, by every species of engagement, to bind those who had enrolled themselves under the fatal standard, not to quit it.

For this purpose, a military oath was proposed, in name of King James VIII.; an engagement, which, however solemn, has been seldom found stronger than the severe compulsion of necessity operating against it. Many of the gentlemen engaged, not willing to preclude themselves from endeavouring to procure terms, in case of need, refused to come under this additional obligation. The expedient of an association was next resorted to, and Mar summoned a general council of the principal persons in the army. This was the fourth time such a meeting had been convoked since the commencement of the insurrection; the first had taken place when MacIntosh's detachment was in peril; the second for the purpose of subscribing an invitation to the Chevalier de St George to join them, and the third on the field of battle at Sheriffmuir.

The Marquis of Huntly, who had already wellnigh determined on taking separate measures, refused to attend the meeting, but sent a draught of an association to which he was willing to subscribe, and seemed to admit that the insurgents might make their peace separately. Mar flung it scorn-

fully aside, and said it might be a very proper form, providing it had either sense or grammar. He then recommended his own draught, by which the subscribers agreed to continue in arms, and accept no conditions unless under the royal authority, and by the consent of the majority of the gentlemen then in arms. The proposed measure was opposed by the Master of Sinclair and many of the Lowland gentlemen. They complained, that by using the phrase "Royal authority," they might be considered as throwing the free power of deciding for themselves into the hands of Mar, as the royal General, with whose management hitherto they had little reason to be satisfied. The Master of Sinclair demanded to know what persons were to vote, as constituting the majority of gentlemen in arms, and whether voices must be allowed to all who went by that general name, or whether the decision was to be remitted to those whom the General might select. Sir John MacLean haughtily answered, that unless some such power of selection were lodged in the commander-in-chief, all his regiment of eight hundred men must be admitted to vote, since every MacLean was a gentlemen. Mar endeavoured to soothe the disaffected. He admitted the King's affairs were not in such a state as he could have desired; but contended that they were far from desperate, intimated that he still entertained hopes, and in the same breath deprecated answering the questions put to him on the nature of his expectations. He was, however, borne down with queries; and being reminded that

he could not propose remaining at Perth, when the Duke of Argyle, reinforced by six thousand Dutch, should move against him on one side, and Sutherland, with all the northern clans in the Government interest, should advance on the other, it was demanded, where he proposed to make a stand. Inverness was named; and the shire of Murray was pointed out as sufficient to find subsistence for a considerable army. But Inverness, if not already fallen, was in imminent danger; Murray, though a fertile country, was a narrow district, which would be soon exhausted; and it seemed to be the general opinion, that if pressed by the Government forces, there would be no resource save falling back into the barren regions of the Highlands. The Master of Sinclair asked, at what season of the year forage and other necessaries for cavalry were to be found in the hills? Glengarry made a bizarre but very intelligible reply, "that such accommodations were to be found in the Highlands at every season—by those who were provident enough to bring them with them."

The main argument of Mar was, to press upon the dissentients the dishonour of deserting the King, when he was on the point of throwing himself on their loyalty. They replied, he alone knew the King's motions; of which they had no such assurances as could induce them to refuse any opportunity of saving themselves, their families, and estates from perdition, merely to preserve some punctilious scruples of loyalty, by which the King could gain no real advantage. They complained

that they had been lured into the field, by promises of troops, arms, ammunition, treasure, and a general of military talent—all to be sent by France; and that, these reports proving totally false, they did not incline to be detained there upon rumours of the King's motions, which might be equally fallacious, as they came from the same quarter. In a word, the council of war broke up without coming to a resolution; and there was, from that time, established in the army a party who were opposed to Mar's conduct of affairs, who declared for opening a negotiation with the Duke of Argyle, and were distinguished at headquarters as grumblers and mutineers.

These gentlemen held a meeting at the Master of Sinclair's quarters, and opened a communication with Mar, in which they urged the total inadequacy of any resistance which they could now offer —the exhaustion of their supplies of ammunition, provision, and money—the impossibility of their making a stand until they reached the Highland mountains—and the equal impossibility of subsisting their cavalry, if they plunged into these wildernesses. They declared, that they did not desire to separate themselves from the army; all they wished to know was, whether an honourable capitulation could be obtained for all who were engaged; and if dishonourable terms were offered, they expressed themselves determined to fight to the death rather than accept them.

While such were the sentiments of the Low-country gentlemen, dejected at their total want of

success, and the prospect of misery and ruin which they saw fast approaching, the Highland chiefs and clans were totally disinclined to any terms of accommodation. Their warlike disposition made the campaign an enjoyment to them; the pay, which Mar dispensed liberally, was, while it lasted, an object with people so poor; and, finally, they entertained the general opinion, founded upon the convention made with their ancestors after the war of 1688-9, that they might at worst retreat into their hills, where, rather than incur the loss of men and charges necessary for suppressing them, the Government would be glad to grant them peace upon their own terms, and, perhaps, not averse to pay them for accepting it. Another class of men having influence in such a singular camp, were the nobility, or men of quality, who had joined the cause. Most of these were men of high titles but broken fortunes, whose patrimony was overburdened with debt. They had been early treated by Mar with distinction and preference, for their rank gave credit to the cause which their personal influence could not greatly have advanced. They enjoyed posts of nominal rank in the insurrectionary army; and the pay conforming to these was not less acceptable to them than to the Highlanders. It may be also supposed, that they were more particularly acquainted than others with the reasons Mar had for actually expecting the King; and might, with spirit worthy of their birth, be willing to incur the worst extremities of war, rather than desert their monarch at the moment when, by their

own invitation, he came to throw himself on their fidelity. These noblemen, therefore, supported the measures and authority of the commander, and discountenanced any proposals to treat.

Notwithstanding the aid of the nobles and the Highland chiefs, Mar found himself compelled so far to listen to the representations of the discontented party, as to consent that application should be made to the Duke of Argyle to learn whether any capitulation could be allowed. There was so little faith betwixt the officers and their general, that the former insisted on naming one of the delegates who were to be sent to Stirling about the proposed negotiation. The offer of submission upon terms was finally intrusted to Lieutenant-Colonel Lawrence, the officer of highest rank who had been made prisoner at Sheriffmuir. The Colonel, agreeably to a previous engagement, returned with an answer to the proposal of submission, that the Duke of Argyle had no commission from Court to treat with the insurgents as a body, but only with such individuals as might submit themselves; but his Grace promised that he would send the Duke of Roxburgh to court, for the purpose of soliciting such powers for a general pacification. A more private negotiation, instituted by the Countess of Murray, whose second son, Francis Stewart, was engaged in the rebellion, received the same answer, with this addition, that the Duke of Argyle would not hear her pronounce the name of Mar, in whose favour she had attempted to make some intercession.

Upon this unfavourable reception of the proposal of submission, it was not difficult to excite the resentment of those who had declared for war, against that smaller party which advocated peace. The Highlanders, whose fierce temper was easily awakened to fury, were encouraged to insult and misuse several of the Low-country gentry, particularly the followers of Huntly, tearing the cockades out of their hats, and upbraiding them as cowards and traitors. The Master of Sinclair was publicly threatened by Farquharson of Inverey, a Highland vassal of the Earl of Mar; but his well-known ferocity of temper, with his habit of going continually armed, seem to have protected him.

About this time, there were others among Mar's principal associates who became desirous of leaving his camp at Perth. Huntly, much disgusted with the insults offered to his vassals, and the desperate state of things at Perth, was now preparing to withdraw to his own country, alleging that his presence was necessary to defend it against the Earl of Sutherland, whose march southward must be destructive to the estates of his family.[1] The movements of the same Earl with the clans of Rosses,

[1] ["Wha wad hae thought the Gordons gay
That day wad quat the green, man?
Auchluncart and Auchanochie,
Wi' a' the Gordon tribe, man,
Like their great Marquis, they could not
The smell o' powder bide, man.
* * * * * *
Clunie played a game at chess
As well as any thing, man;
But like the knavish Gordon race,
Gave check unto the King, man.

MacKays, Frasers, Grants, and others, alarmed Seaforth also for the security of his dominions in Kintail; and he left Perth, to march northward, for the defence of his property, and the wives, families, and houses of his vassals in arms. Thus were two great limbs lopped off from Mar's army, at the time when it was about to be assailed by Government with collected strength. Individuals also became dispirited, and deserted the enterprise. There was at least one man of consideration who went home from the field of battle at Sheriffmuir—sat down by his own hearth, and trusting to the clemency of the Government, renounced the trade of king-making. Others, in parties or separately, had already adopted the same course; and those who, better known, or more active, dared not remain at home, were seeking passages to foreign parts from the eastern ports of Scotland. The Master of Sinclair, after exchanging mutual threats and defiances with Mar and his friends, left the camp at Perth, went north and visited the Marquis of Huntly. He afterwards escaped abroad from the Orkney islands.

Amidst this gradual but increasing defection, Mar, by the course of his policy, saw himself at all rates obliged to keep his ground at Perth, since he knew, what others refused to take upon his autho-

He plainly saw, without a queen,
The game would not recover,
So therefore he withdrew his knight,
And joined the rook Hanover."
Hogg's *Jacobite Relics*, vol. ii. pp. 14, 15.]

rity, that the Chevalier de St George was very shortly to be expected in his camp.

This Prince, unfortunate from his very infancy, found himself, at the time of this struggle in his behalf, altogether unable to assist his partisans. He had been expelled from France by the Regent Duke of Orleans, and even the provision of arms and ammunition, which he was able to collect from his own slender funds, and those of his followers, or by the munificence of his allies, was intercepted in the ports of France. Having, therefore, no more effectual mode of rendering them assistance, he generously, or desperately, resolved to put his own person in the hazard, and live and die along with them. As a soldier, the Chevalier de St George had shown courage upon several other occasions; that is, he had approached the verge of battle as near as persons of his importance are usually suffered to do. He was handsome in person, and courteous and pleasing in his manners; but his talents were not otherwise conspicuous, nor did he differ from the ordinary class of great persons, whose wishes, hopes, and feelings, are uniformly under the influence and management of some favourite minister, who relieves his master of the inconvenient trouble of thinking for himself upon subjects of importance. The arrival of a chief, graced with such showy qualities as James possessed, might have given general enthusiasm to the insurrection at its commencement, but could not redeem it when it was gone to ruin; any more than the unexpected

presence of the captain on board a half-wrecked vessel can, of itself, restore the torn rigging which cannot resist the storm, or mend the shattered planks which are yawning to admit the waves.

The Chevalier thus performed his romantic adventure:—Having traversed Normandy, disguised in a mariner's habit, he embarked at Dunkirk aboard a small vessel, formerly a privateer, as well armed and manned as time would admit, and laden with a cargo of brandy. On the 22d December, 1715, he landed at Peterhead, having with him a retinue of only six gentlemen; the rest of his train and equipage being to follow him in two other small vessels. Of these, one reached Scotland, but the other was shipwrecked. The Earl of Mar, with the Earl Marischal, and a chosen train of persons of quality, to the number of thirty, went from Perth to kiss the hands of the Prince for whose cause they were in arms. They found him at Fetteresso, discomposed with the ague,—a bad disorder to bring to a field of battle. The deputation was received with the courtesy and marks of favour which could not be refused, although their news scarce deserved a welcome. While the Episcopal clergy of the diocese of Aberdeen congratulated themselves and James on the arrival of a Prince, trained like Moses, Joseph, and David, in the school of adversity, his general had to apprize his Sovereign of the cold tidings, that his education in that severe academy had not yet ended. The Chevalier de St George now for the first time received the melancholy intelligence, that for a

month before his arrival it had been determined to abandon Perth, which had hitherto been their head-quarters, and that, as soon as the enemy began to advance, they would be under the necessity of retreating into the wild Highlands.

This was a reception very different from what the Prince anticipated. Some hopes were still entertained, that the news of the Chevalier's actual arrival might put new life into their sinking cause, bring back the friends who had left their standard, and encourage new ones to repair thither, and the experiment was judged worth trying. For giving the greater effect to his presence, he appeared in royal state as he passed through Brechin and Dundee, and entered Perth itself with an affectation of Majesty.[1]

James proceeded to name a privy council, to whom he made a speech, which had little in it that was encouraging to his followers. In spite of a

[1] ["He went from Fetteresso to Brechin, on Monday, 2d of January; stayed there till Wednesday, when he came to Kinnaird; went to Glamis on Thursday, and on Friday, about eleven in the morning, he made his public entry into Dundee, with a retinue of about 300 men on horseback, having the Earl of Mar on his right, and the Earl of Marischal on his left. His friends desiring it, he continued about an hour on horseback in the market-place, the people kissing his hand all the while; he then went and dined at Stuart of Grandtully's, where he lodged that night. On Saturday, he went from Dundee to Castle Lion, a seat of the Earl of Strathmore, where he dined, and after to Sir David Threipland's, where he lodged. On Sunday, he arrived at Scoone, about two miles from Perth. On Monday the 9th, he made his public entry into Perth, where he viewed some of the soldiers quartered in the town, and returned the same night to Scoone."—RAE, p. 355.]

forced air of hope and confidence, it was too obvious that the language of the Prince was rather that of despair. There was no rational expectation of assistance in men, money, or arms, from abroad, nor did his speech hold out any such. He was come to Scotland, he said, merely that those who did not choose to discharge their own duty, might not have it in their power to make his absence an apology; and the ominous words escaped him, "that for him it was no new thing to be unfortunate, since his whole life, from his cradle, had been a constant series of misfortune, and he was prepared, if it so pleased God, to suffer the extent of the threats which his enemies threw out against him." These were not encouraging words, but they were the real sentiments of a spirit broken with disappointment. The Grand Council, to whom this royal speech was addressed, answered it by a declaration of their purpose of fighting the Duke of Argyle; and it is incredible how popular this determination was in the army, though reduced to one-fourth of their original numbers. The intelligence of the arrival of the Chevalier de St George was communicated to Seaforth, Lord Huntly, and other persons of consequence who had formerly joined his standard, but they took no notice of his summons to return thither. He continued, notwithstanding, to act the sovereign. Six proclamations were issued in the name of James the Eighth of Scotland, and Third of England: The first appointed a general thanksgiving for his safe arrival in the British kingdoms—a second, commanded

prayers to be offered up for him in all churches—a third, enjoined the currency of foreign coins,—a fourth, directed the summoning together the Scottish Convention of Estates—a fifth, commanded all the fencible men to join his standard—and a sixth, appointed the 23d of January for the ceremony of his coronation. A letter from the Earl of Mar was also published respecting the King, as he is called, in which, with no happy selection of phrase, he is termed the *finest* gentleman in person and manners, with the *finest* parts and capacity for business, and the *finest* writer whom Lord Mar ever saw; in a word, every way fitted to make the Scots a happy people, were his subjects worthy of him.

But with these flattering annunciations came forth one of a different character. The village of Auchterarder, and other hamlets lying between Stirling and Perth, with the houses, corn, and forage, were ordered by James's edict to be destroyed, lest they should afford quarters to the enemy in their advance. In consequence of this, the town above named and several villages were burned to the ground, while their inhabitants, with old men and women, children and infirm persons, were driven from their houses in the extremity of one of the hardest winters which had for a long time been experienced even in these cold regions. There is every reason to believe, that the alarm attending this violent measure greatly overbalanced any hopes of better times, excited by the flourishing proclamations of the newly-arrived candidate for royalty.

While the insurgents at Perth were trying the effect of adulatory proclamations, active measures of a very different kind were in progress. The Duke of Argyle had been in Stirling since the battle of 12th November, collecting gradually the means of totally extinguishing the rebellion. His secret wish probably was, that it might be ended without farther bloodshed of his misguided countrymen, by dissolving of itself. But the want of a battering train, and the extreme severity of the weather, served as excuses for refraining from active operations. The Duke, however, seems to have been suspected by Government of being tardy in his operations; and perhaps of having entertained some idea of extending his own power and interest in Scotland, by treating the rebels with clemency, and allowing them time for submission. This was the rather believed, as Argyle had been the ardent opponent of Marlborough, now Captain-General, and could not hope that his measures would be favourably judged by a political and personal enemy. The intercession of a part of the English ministry, who declared against the impeachment of the rebel lords, had procured them punishment in the loss of their places; and, notwithstanding the services he had performed, in arresting with three thousand men the progress of four times that number, Argyle's slow and temporizing measures subjected him to a shade of malevolent suspicion, which his message to Government, through the Duke of Roxburghe, recommending an amnesty, perhaps tended to increase.

Yet he had not neglected any opportunity to narrow the occupation of the country by the rebels, or to prepare for their final suppression. The English ships of war in the frith, acting under the Duke's orders, had driven Mar's forces from the castle of Burntisland, and the royal troops had established themselves throughout a great part of Fifeshire, formerly held exclusively by the rebel army.

The Dutch auxiliaries now, however, began to join the camp at Stirling; and as the artillery designed for the siege of Perth lay wind-bound in the Thames, a field-train was sent from Berwick to Stirling, that no farther time might be lost. General Cadogan also, the intimate friend of Marlborough, was despatched from London to press the most active operations; and Argyle, if he had hitherto used any delay, in pity to the insurgents, was now forced on the most energetic measures.

On the 24th of January, the advance from Stirling and the march on Perth were commenced, though the late hard frost, followed by a great fall of snow, rendered the operations of the army slow and difficult. On the last day of January the troops of Argyle crossed the Earne without opposition, and advanced to Tullibardine, within eight miles of Perth.

On the other hand, all was confusion at the headquarters of the rebels. The Chevalier de St George had expressed the greatest desire to see the little kings, as he called the Highland chiefs, and their clans; but, though professing to admire their singular dress and martial appearance,

he was astonished to perceive their number so greatly inferior to what he had been led to expect, and expressed an apprehension that he had been deceived and betrayed. Nor did the appearance of this Prince excite much enthusiasm on the part of his followers. His person was tall and thin; his look and eye dejected by his late bodily illness; and his whole bearing lacking the animation and fire which ought to characterise the leader of an adventurous, or rather desperate cause. He was slow of speech and difficult of access, and seemed little interested in reviews of his men, or martial displays of any kind. The Highlanders, struck with his resemblance to an automaton, asked if he could speak; and there was a general disappointment, arising rather, perhaps, from the state of anxiety and depression in which they saw him, than from any natural want of courage in the unhappy Prince himself. His extreme attachment to the Catholic religion, also reminded such of his adherents as acknowledged the reformed church, of the family bigotry on account of which his father had lost his kingdom; and they were much disappointed at his refusal to join in their prayers and acts of worship, and at the formal precision with which he adhered to his Popish devotions.[1]

[1] ["As he never attended any Protestant, though Episcopal worship, nor heard any Protestant so much as say grace to him, but constantly employed Father Innes to say the *Pater Noster* and *Ave Marias* for him; so he showed an invincible reluctancy to comply with the usual form of the coronation oath, obliging the Sovereign to maintain the established religion, which occa-

Yet the Highlanders, though few in numbers, still looked forward with the utmost spirit, and something approaching to delight, to the desperate conflict which they conceived to be just approaching; and when, on the 28th January, they learned that Argyle was actually on his march towards Perth, it seemed rather to announce a jubilee than a battle with fearful odds. The chiefs embraced, drank to each other, and to the good day which was drawing near; the pipes played, and the men prepared for action with that air of alacrity which a warlike people express at the approach of battle.

When, however, a rumour, first slowly whispered, then rapidly spreading among the clans, informed them, that notwithstanding all the preparations in which they had been engaged, it was the general's purpose to retire before the enemy without fighting, the grief and indignation of these men, taught to think so highly of their ancestors' prowess, and feeling no inferiority in themselves, rose to a formidable pitch of fury, and they assailed their principal officers in the streets with every species of reproach. "What can we do?" was the helpless answer of one of these gentlemen, a confident of Mar. "Do?" answered an indignant Highlander; "Let us do that which we were called to arms for, which certainly was not to run away.

sioned the putting off that ceremony: And as his avowed bigotry to Popery occasioned great divisions among his new counsellors, so it cooled the affections of his female friends, the Episcopal ladies, who, entertaining the notion of his being a Protestant, had excited their husbands to take arms for him."—RAE, p. 360.]

Why did the King come hither?—was it to see his subjects butchered like dogs, without striking a blow for their lives and honour?" When the safety of the King's person was urged as a reason for retreat, they answered—"Trust his safety to us; and if he is willing to die like a prince, he shall see there are ten thousand men in Scotland willing to die with him."

Such were the general exclamations without doors, and those in the councils of the Chevalier were equally violent. Many military men of skill gave it as their opinion, that though Perth was an open town, yet it was so far a safe post, that an army could not, by a *coup-de-main*, take it out of the hands of a garrison determined on its defence. The severity of the snow-storm and of the frost, precluded the opening of breaches; the country around Perth was laid desolate; the Duke of Argyle's army consisted in a great measure of Englishmen and foreigners, unaccustomed to the severe climate of Scotland; and vague hopes were expressed, that, if the general of Government should press an attack upon the town, he might receive such a check as would restore the balance between the parties. To this it was replied, that not only the superiority of numbers, and the advantage of discipline, were on the side of the royal army, but that the garrison at Perth was destitute of the necessary provisions and ammunition; and that the Duke of Argyle had men enough at once to form the blockade of that town, and take possession of Dundee, Aberdeen, and all the counties to the

northward of the Tay, which they lately occupied; while the Chevalier, cooped up in Perth, might be permitted for some time to see all the surrounding country in his enemy's possession, until it would finally become impossible for him to escape. In the end it was resolved in the councils of the Chevalier de St George, that to attempt the defence of Perth would be an act of desperate chivalry. To reconcile the body of the army to the retreat, reports were spread that they were to make a halt at Aberdeen, there to be joined by a considerable body of troops which were expected to arrive from abroad, and advance again southwards under better auspices. But it was secretly understood that the purpose was to desert the enterprise, to which the contrivers might apply the lines of the poet—

> "In an ill hour did we these arms commence,
> Fondly brought here, and foolishly sent hence."

CHAPTER LXXIII.

Retreat of the Jacobite Army from Perth—Escape of the Chevalier and the Earl of Mar—Dispersion of the Jacobite Army—Incapacity of Mar as a General—Argyle's Arrival in London, and Reception at Court—he is deprived of all his Employments—Causes of this Act of Ingratitude on the part of the English Government—Trial of the Jacobite Prisoners, at Carlisle—Disarming of the Highlanders—Sale of Forfeited Estates—Plan of Charles XII. of Sweden for Restoring the Stewarts—Expedition fitted out by Cardinal Alberoni for the same purpose—Battle of Glenshiel—the Enterprise Abandoned.

[1716–1719.]

WHATEVER reports were spread among the soldiers, the principal leaders had determined to commence a retreat, at the head of a discontented army, degraded in their own opinion, distrustful of their officers, and capable, should these suspicions ripen into a fit of fury, of carrying off both king and general into the Highlands, and there waging an irregular war after their own manner.

On the 28th of January, an alarm was given in Perth of the Duke of Argyle's approach; and it is remarkable, that, although in the confusion, the general officers had issued no orders what measures

were to be taken in case of this probable event, yet the clans themselves, with intuitive sagacity, took the strongest posts for checking any attack; and, notwithstanding a momentary disorder, were heard to cheer each other with the expression, "they should do well enough." The unhappy Prince himself was far from displaying the spirit of his partisans. He was observed to look dejected, and to shed tears, and heard to say, that instead of bringing him to a crown, they had led him to his grave. "Weeping," said Prince Eugene, when he heard this incident, "is not the way to conquer kingdoms."

The retreat commenced under all these various feelings. On the 30th of January, the anniversary of Charles the First's decapitation, and ominous therefore to his grandson, the Highland army filed off upon the ice which then covered the Tay, though a rapid and deep stream. The town was shortly afterwards taken possession of by a body of the Duke of Argyle's dragoons; but the weather was so severe, and the march of the rebels so regular, that it was impossible to push forward any vanguard of strength sufficient to annoy their retreat.

On the arrival of the rebels at the seaport of Montrose, a rumour arose among the Highlanders, that the King, as he was termed, the Earl of Mar, and some of their other principal leaders, were about to abandon them, and take their flight by sea. To pacify the troops, orders were given to continue the route towards Aberdeen; the equi-

page and horses of the Chevalier de St George were brought out before the gate of his lodgings, and his guards were mounted as if to proceed on the journey. But before the hour appointed for the march, James left his apartments privately for those of the Earl of Mar, and both took a by-road to the water's edge, where a boat waited to carry them in safety on board a small vessel prepared for their reception. The safety of these two personages being assured, boats were sent to bring off Lord Drummond, and a few other gentlemen, most of them belonging to the Chevalier's household; and thus the son of James II. once more retreated from the shores of his native country, which, on this last occasion, he seemed to have visited for no other purpose than to bring away his general in safety. 4th February.

General Gordon performed the melancholy and irksome duty of leading to Aberdeen the disheartened remains of the Highland army, in which the Lord Marischal lent him assistance, and brought up the rear. It is probable, that the rage of the men, on finding themselves deserted, might have shown itself in some acts of violence and insubordination; but the approach of the Duke of Argyle's forces, which menaced them in different columns, prevented this catastrophe. A sealed letter, to be opened at Aberdeen, contained the secret orders of the Chevalier for General Gordon and his army. When opened, it was found to contain thanks for their faithful services; an intimation, that disappointments had obliged him to retire abroad; and

a full permission to his adherents either to remain in a body and treat with the enemy, or disperse, as should best appear to suit the exigency of the time. The soldiers were at the same time apprised that they would cease to receive pay.

A general burst of grief and indignation attended these communications. Many of the insurgents threw down their arms in despair, exclaiming, that they had been deserted and betrayed, and were now left without either king or general. The clans broke up into different bodies, and marched to the mountains, where they dispersed, each to its own hereditary glen. The gentlemen and Lowlanders who had been engaged, either skulked among the mountains, or gained the more northerly shires of the country, where vessels sent from France to receive them, carried a great part of them to the continent.

Thus ended the Rebellion of 1715, without even the usual sad eclat of a defeat. It proved fatal to many ancient and illustrious families in Scotland, and appears to have been an undertaking too weighty for the talents of the person whom chance, or his own presumption, placed at the head of it. It would be unjust to the memory of the unfortunate Mar, not to acquit him of cowardice or treachery, but his genius lay for the intrigues of a court, not the labours of a campaign. He seems to have fully shared the chimerical hopes which he inspired amongst his followers, and to have relied upon the foreign assistance which the Regent Duke of Orleans wanted both power and inclination to afford.

He believed, also, the kingdom was so ripe for rebellion, that nothing was necessary save to kindle a spark in order to produce a general conflagration. In a word, his trust was reposed in what is called the chapter of accidents. Before the battle of Sheriffmuir, his inactivity seems to have been unpardonable, since he suffered the Duke of Argyle, by assuming a firm attitude, to neutralize and control a force of four times his numbers; but after that event, to continue the enterprise was insanity, since each moment he lingered brought him nearer the edge of the precipice. Yet even the Chevalier was invited over to share the dangers and disgrace of an inevitable retreat. In short, the whole history of the insurrection shows that no combination can be more unfortunate than that of a bold undertaking with an irresolute leader.

The Earl of Mar for several years afterwards managed the state affairs of the Chevalier de St George, the mock minister of a mock cabinet, until the beginning of the year 1721, when he became deprived of his master's confidence. He spent the rest of his life abroad, and in retirement. This unfortunate Earl was a man of fine taste; and in devising modes of improving Edinburgh, the capital of Scotland, was more fortunate than he had been in schemes for the alteration of her government. He gave the first hints for several of the modern improvements of the city.

The Duke of Argyle having taken the most active measures for extinguishing the embers of the rebellion, by dispersing the bodies of men who were

still in arms, directed movable columns to traverse the Highlands in every direction, for receiving the submission of such as were humbled, or exercising force on those who might resist. He arrived at Edinburgh on the 27th of February, when the magistrates, who had not forgot his bold march to rescue the city, when menaced by Brigadier Mac-Intosh, entertained him with magnificence. From thence he proceeded to London, where he was received with distinction by George I.

And now you are doubtless desirous of knowing with what new honours, augmented power, or increased wealth, the King of England rewarded the man, whose genius had supplied the place of fourfold numbers, and who had secured to his Majesty the crown of one at least of his kingdoms, at a moment when it was tottering on his head. I will answer you in a word. In a very short while after the conclusion of the war, *the Duke of Argyle was deprived of all his employments.* The cause of this extraordinary act of court ingratitude must be sought in the personal hatred of the Duke of Marlborough, in the high spirit of the Duke of Argyle, which rendered him a troublesome and unmanageable member of a ministerial cabinet, and probably in some apprehension of this great man's increasing personal influence in his native country of Scotland, where he was universally respected, and beloved by many even of the party which he had opposed in the field.

It is imagined, moreover, that the Duke's disgrace at Court was, in some degree, connected with

a legislative enactment of a very doubtful tendency, which was used for the trial of the rebel prisoners. We have already mentioned the criminal proceedings under which the Preston prisoners suffered. Those who had been taken in arms at Sheriffmuir and elsewhere in Scotland, ought, according to the laws, both of Scotland and England, to have been tried in the country where the treason was committed. But the English lawyers had in recollection the proceedings in the year 1707, when it was impossible to obtain from Grand Juries in Scotland the verdict of a true bill, on which the prisoners could be sent to trial. The close connexion, by friendship and alliance, even of those families which were most opposed as Whigs and Tories, made the victorious party in Scotland unwilling to be the means of distressing the vanquished, and disposed them to afford a loop-hole for escape, even at the expense of strict justice. To obviate the difficulties of conviction, which might have been an encouragement to future acts of high treason, it was resolved, that the Scottish offenders against the treason-laws should be tried in England, though the offence had been committed in their own country. This was no doubt extremely convenient for the prosecution, but it remains a question, where such innovations are to stop, when a government takes on itself to alter the formal proceedings of law, in order to render the conviction of criminals more easy. The Court of Oyer and Terminer sat, notwithstanding, at Carlisle, and might have been held by the same parity of reason at the Land's End in Cornwall, or

in the isles of Scilly. But there was a studied moderation towards the accused, which seemed to intimate, that if the prisoners abstained from challenging the irregularity of the court, they would be favourably dealt with. Many were set at liberty, and though twenty-four were tried and condemned, not one was ever brought to execution. It is asserted, that the Duke of Argyle, as a Scottish man, and one of the framers of the Union, had in his Majesty's councils declared against an innovation which seemed to infringe upon that measure, and that the offence thus given contributed to the fall of his power at Court.

Free pardons were liberally distributed to all who had seceded from the Rebellion, before its final close. The Highland chiefs and clans were in general forgiven, upon submission, and a surrender of the arms of their people. This was with the disaffected chiefs a simulated transaction, no arms being given up but such as were of no value, while all that were serviceable were concealed and carefully preserved. The loyal clans, on the other hand, made an absolute surrender, and were afterwards found unarmed when the Government desired their assistance.

Mean time the principles of Jacobitism continued to ferment in the interior of the country, and were inflamed by the numerous exiles, men of rank and influence, who were fugitives from Britain in consequence of attainder. To check these, and to intimidate others, the estates of the attainted persons were declared forfeited to the crown, and

vested in trustees, to be sold for the benefit of the public. The revenue of the whole, though comprising that of about forty families of rank and consideration, did not amount to L.30,000 yearly. These forfeited estates were afterwards purchased from Government by a great mercantile company in London, originally instituted for supplying the city with water by raising it from the Thames, but which having fallen under the management of speculative persons, its funds, and the facilities vested in it by charter, had been applied to very different purposes. Among others, that of purchasing the forfeited estates, was one of the boldest, and, could the company have maintained their credit, would have been one of the most lucrative transactions ever entered into. But the immediate return arising from this immense extent of wood and wilderness, inhabited by tenants who were disposed to acknowledge no landlords but the heirs of the ancient families, and lying in remote districts, where law was trammelled by feudal privileges, and affording little protection to the intruders, was quite unequal to meet the interest of the debt which that company had incurred. The purchasers were, therefore, obliged to let the land in many cases to friends and connexions of the forfeited proprietors, through whom the exiled owners usually derived the means of subsisting in the foreign land to which their errors and misfortunes had driven them. The affairs of the York Building Company, who had in this singular manner become Scottish proprietors to an immense extent, afterwards became

totally deranged, owing to the infidelity and extravagance of their managers. Attempts were, from time to time, made to sell their Scottish estates, but very inefficiently, and at great disadvantage. Men of capital showed an unwillingness to purchase the forfeited property; and in two or three instances the dispossessed families were able to repurchase them at low rates. But after the middle of the eighteenth century, when the value of this species of property began to be better understood, rival purchasers came forward, without being deterred by the scruples which, in earlier days, prevented men from bidding against the heirs of the original possessor. Every new property as exposed to sale brought a higher price, sometimes in a tenfold proportion, than those which had been at first disposed of, and after more than a century of insolvency, the debts of the bankrupt company were completely discharged. Could they have retained their landed property, or, as was once attempted, could any other persons have been placed in the company's right to it, the emolument would have been immense.

Before proceeding to less interesting matter, I must here notice two plans originating abroad, which were founded upon an expectation of again reviving in Scotland the intestine war of 1715. Two years after that busy period, Baron Gorz, minister of Charles XII. of Sweden, a man whose politics were as chimerical as his master's schemes of conquest, devised a confederacy for dethroning George I. and replacing on the throne the heir of

the House of Stewart. His fiery master was burning with indignation at George for having possessed himself of the towns of Bremen and Verden.[1] Charles's ancient enemy, the Czar Peter, was also disposed to countenance the scheme, and Cardinal Alberoni, then the all-powerful minister of the King of Spain, afforded it his warm support. The plan was, that a descent of ten thousand troops should be effected in Scotland, under the command of Charles XII. himself, to whose redoubted character for courage and determination the success of the enterprise was to be intrusted. It might be amusing to consider the probable consequences which might have arisen from the iron-headed Swede placing himself at the head of an army of Highland enthusiasts, with courage as romantic as his own. In following the speculation, it might be doubted whether this leader and his troops would be more endeared to each other by a congenial audacity of mind, or alienated by Charles's habits of despotic authority, which the mountaineers would probably have found themselves unable to endure. But such a speculation would lead us far from our

[1] ["As Charles likewise threatened to invade the electorate of Saxony, and chastise his false friends, King George, for the security of his German dominions, concluded a treaty with the king of Denmark, by which the duchies of Bremen and Verden, which had been taken from the Swedes in his absence, were made over to his Britannic Majesty, on condition that he should immediately declare war against Sweden. Accordingly, he took possession of the duchies in October; published a declaration of war against Charles in his German dominions; and detached 6000 Hanoverians to join the Danes and Prussians in Pomerania."—SMOLLETT, b. ii. c. i.]

proper path. The conspiracy was discovered by the spies of the French Government, then in strict alliance with England, and all possibility of the proposed scheme being put into execution was destroyed by the death of Charles XII. before Frederickshall, in 1718.

But although this undertaking had failed, the enterprising Alberoni continued to nourish hopes of being able to effect a counter-revolution in Great Britain, by the aid of the Spanish forces. The Chevalier de St George was, in 1719, invited to Madrid, and received there with the honours due to the King of England. Six thousand troops, with twelve thousand stand of arms, were put on board of ten ships of war, and the whole armada was placed under the command of the Duke of Ormond. But all efforts to assist the unlucky House of Stewart were frowned on by fortune and the elements. The fleet was encountered by a severe tempest off Cape Finisterre, which lasted two days, drove them back to Spain, and disconcerted their whole enterprise. An inconsiderable part of the expedition, being two frigates from St Sebastian, arrived with three hundred men, some arms, ammunition, and money, at their place of destination in the island of Lewis. The exiled leaders on board were the Marquis of Tullibardine, the Earl Marischal, and the Earl of Seaforth.

16th April.

We have not had occasion to mention Seaforth since he separated from the army of Mar at the same time with the Marquis of Huntly, in order to oppose the Earl of Sutherland, whom the success

of Lovat at Inverness had again brought into the field on the part of the Government. When the two Jacobite leaders reached their own territories, they found the Earl of Sutherland so strong, and the prospects of their own party had assumed so desperate an aspect, that they were induced to enter into an engagement with Sutherland to submit themselves to Government. Huntly kept his promise, and never again joined the rebels, for which submission he received a free pardon. But the Earl of Seaforth again assumed arms in his island of Lewis, about the end of February, 1715–16. A detachment of regular troops was sent against the refractory chief, commanded by Colonel Cholmondely, who reduced those who were in arms. Seaforth had escaped to France, and from thence to Spain, where he had resided for some time, and was now, in 1719, despatched to his native country, with a view to the assistance so powerful a chief could give to the projected invasion.

On his arrival at his own island of Lewis, Seaforth speedily raised a few hundred Highlanders, and crossed over to Kintail, with the purpose of giving a new impulse to the insurrection. Here he made some additions to his clan levies; but, ere he could gather any considerable force, General Wightman marched against him with a body of regular troops from Inverness, aided by the Monros, Rosses, and other loyal or whig clans of the northern Highlands.

They found Seaforth in possession of a pass called Strachells, near the great valley of Glen-

shiel. A desultory combat took place, in which there was much skirmishing and sharp-shooting, the Spaniards and Seaforth's men keeping the pass. George Monro, younger of Culcairn, engaged on the side of Government, received during this action a severe wound, by which he was disabled for the time. As the enemy continued to fire on him, the wounded chief commanded his servant, who had waited by him, to retire, and, leaving him to his fate, to acquaint his father and friends that he had died honourably. The poor fellow burst into tears, and, asking his master how he could suppose he would forsake him in that condition, he spread himself over his body, so as to intercept the balls of the enemy, and actually received several wounds designed for his master. They were both rescued from the most imminent peril by a sergeant of Culcairn's company, who had sworn an oath on his dirk that he would accomplish his chief's deliverance.

The battle was but slightly contested; but the advantage was on the side of the MacKenzies, who lost only one man, while the Government troops had several killed and wounded. They were compelled to retreat without dislodging the enemy, and to leave their own wounded on the field, many of whom the victors are said to have despatched with their dirks. But though the MacKenzies obtained a partial success, it was not such as to encourage perseverance in the undertaking, especially as their chief, Lord Seaforth, being badly wounded, could no longer direct their enterprise. They determined, therefore, to disperse as soon as night fell, the

rather that several of their allies were not disposed to renew the contest. One clan, for example, had been lent to Seaforth for the service of the day, under the special paction on the part of the chief, that however the battle went, they should return before next morning; this occasional assistance being only regarded in the light of a neighbourly accommodation to Lord Seaforth.

The wounded Earl, with Tullibardine and Marischal, escaped to the continent.[1] The three hundred Spaniards next day laid down their arms, and surrendered themselves prisoners. The affair of Glenshiel might be called the last faint sparkle of the great Rebellion of 1715, which was fortunately extinguished for want of fuel. A vague rumour of Earl Marischal's having re-landed had, however, wellnigh excited a number of the most zealous Jacobites once more to take the field, but it was contradicted before they adopted so rash a step.

[1] ["By letters patent dated 12th July, 1726, King George I. was pleased to discharge him from imprisonment, or the execution of his person on his attainder, and King George II. made him a grant of the arrears of feu-duties due to the crown out of his forfeited estate. He died in the island of Lewis, January 1740."—WOOD's *Peerage* (Seaforth), vol. ii. p. 484.]

END OF VOLUME TWENTY-FIFTH.

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